



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of September 9-22. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://skyways.lib.ks.us/ksleg/KLRD/klrd.html>.

Date	Room	Time	Committee	Agenda
September 11	231-N	10:00 a.m.	Joint Committee on Children's	Agenda not available.
September 12	231-N	9:00 a.m.	Issues	
September 11	State Dept. of Education, 120 E. 10th	11:00 a.m. (Note time change)	Legislative Educational Planning Committee	Joint meeting with the State Board of Education to discuss federal "No Child Left Behind Act" and other matters.
September 12	123-S	10:00 a.m.	Joint Committee on Economic	Testimony and discussion of broadband deployment in Kansas and multi-dwelling unit (MDU) issues relating to cable communications. Possible discussion of the unemployment insurance benefits topic.
September 13	123-S	9:00 a.m.	Development	
September 16	531-N	10:00 a.m.	Joint Committee on Information	Agenda not available.
September 17	531-N	9:00 a.m.	Technology	
September 17	519-S	10:00 a.m.	Joint Committee on Corrections	Agenda not available.
September 18	519-S	9:00 a.m.	and Juvenile Justice	
September 19	519-S	10:00 a.m.	Special Committee on	19th: Family Development Account Program (SB 231); property tax exemption for independent living centers (SB 479); legal issues re expansion of tax credits to railroads.
September 20	519-S	9:00 a.m.	Assessment and Taxation	20th: Motor fuels tax point of sale (SB 537).

Jeff Russell
Director of Legislative
Administrative Services

Doc. No. 028383

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Ron Thornburgh
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(785) 296-4564
www.kssos.org



Register Office:
1st Floor, Memorial Hall
(785) 296-3489
Fax (785) 368-8024

State of Kansas

Kansas, Inc.

Notice of Meeting

The Kansas Inc. Board of Directors will meet at 5 p.m. Sunday, September 8, at Trapper Jacks, 2912 N. Broadway, Pittsburg, and at 10 a.m. Monday, September 9, in Room S113 of the Kansas Technology Center, Pittsburg State University, 909 E. Ford, Pittsburg. The meetings are open to the public. For further information, call (785) 296-1460.

Charles R. Ranson
President

Doc. No. 028390

(Published in the Kansas Register September 5, 2002.)

**USDA-Natural Resources
Conservation Service****Notice of Kansas Technical Committee Meeting**

The Kansas Technical Committee will meet from 9:30 a.m. to 3 p.m. Tuesday, September 24, at the Bicentennial Center, 800 The Midway, Salina, to discuss fiscal year 2003 Environmental Quality Incentive Program (EQIP) delivery tools, such as eligible conservation practices, ranking criteria, resource concerns and funding distribution. Conservation Reserve Program (CRP) priority areas also will be discussed.

For additional information, contact Steve Parkin, Assistant State Conservationist, USDA-Natural Resources Conservation Service, 760 S. Broadway, Salina, 67401-4642, (785) 823-4568, fax (785) 823-4540.

Mary D. Shaffer
Public Affairs Specialist

Doc. No. 028373

State of Kansas

Department of Agriculture**Notice of Hearing on Proposed
Administrative Regulations**

The Kansas Department of Agriculture will convene a public hearing at 9 a.m. Thursday, November 7, on the fourth floor of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of amendments to K.A.R. 4-13-25 and the adoption of new regulations K.A.R. 4-13-25a through K.A.R. 4-13-25l, governing the construction, design and maintenance of bulk pesticide storage and handling facilities in Kansas. The proposals are summarized as follows:

K.A.R. 4-13-25 is a proposal to add definitions to the law for administration of proposed new regulations K.A.R. 4-13-25a through K.A.R. 4-13-25l.

K.A.R. 4-13-25a proposes to establish exemptions to the requirements of K.A.R. 4-13-25a through K.A.R. 4-13-25l.

K.A.R. 4-13-25b proposes to establish the container size that constitutes a bulk pesticide and sets forth those quantities of bulk pesticide that may pass through a facility or be on hand at a facility thereby subjecting the facility to

the requirements of K.A.R. 4-13-25a through K.A.R. 4-13-25l.

K.A.R. 4-13-25c proposes to set standards for the location, design and construction of a facility.

K.A.R. 4-13-25d proposes the standards required for the secondary containment structure at a facility.

K.A.R. 4-13-25e proposes requirements for mixing and loading pads.

K.A.R. 4-13-25f proposes requirements for storage containers and appurtenances for bulk pesticides.

K.A.R. 4-13-25g proposes the requirements for recovery, reporting and notification to the secretary in the event of the discharge of a pesticide stored in a facility.

K.A.R. 4-13-25h proposes the requirements for plan submissions to the secretary for construction or maintenance of a facility in Kansas.

K.A.R. 4-13-25i proposes the dates by which existing facilities, conforming facilities and new facilities must comply with the law.

K.A.R. 4-13-25j proposes the inspection and maintenance requirements for a facility and sets forth the record-keeping requirements for a facility with regard to inspection and maintenance.

K.A.R. 4-13-25k proposes requirements for the closure and discontinuation of operations of a facility.

K.A.R. 4-13-25l proposes suspension, revocation, non-renewal or cancellation of a license, certification or registration for those found in violation of the regulations.

All changes to the regulations are identified in greater detail in the economic impact statement.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed new and amended rules and regulations. Any interested parties may submit written comments prior to the hearing to the Secretary of Agriculture, Attention: Joseph W. Lentz, 109 S.W. 9th, 4th Floor, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Leslie Garner (785) 296-4623 or fax (785) 368-6668. Handicapped parking is located on the southwest corner of 9th and Jackson Streets, and the north entrance to the building is accessible to individuals with disabilities.

Copies of the regulations and the economic impact statement may be obtained by contacting the Department of Agriculture.

Jamie Clover Adams
Secretary of Agriculture

Doc. No. 028380

State of Kansas

Pooled Money Investment Board**Notice of Investment Rates**

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d), 75-4201(l) and 75-4209(a)(1)(B).

Effective 9-2-02 through 9-8-02

Term	Rate
1-89 days	1.81%
3 months	1.63%
6 months	1.61%
1 year	1.70%
18 months	1.93%
2 years	2.10%

Derl S. Treff
Director of Investments

Doc. No. 028363

State of Kansas

Board of Pharmacy**Notice of Hearing on Proposed
Administrative Regulations**

The Kansas State Board of Pharmacy will conduct a public hearing at 9 a.m. Wednesday, December 18, at the AmeriSuites meeting room, 6021 S.W. 6th Ave., Topeka, to consider changes in and/or adoption of proposed rules and regulations of the Kansas State Board of Pharmacy. A regular meeting of the board will follow December 19.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Susan A. Linn, Executive Director, State Board of Pharmacy, Room 513, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1231. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their view, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Susan A. Linn on the consumer toll-free number 1-888-RX-BOARD (888-792-6273) or in Topeka at 296-6504, or by e-mail at pharmacy@ink.org.

The regulations are proposed for changes and adoption on a permanent basis. A summary of the proposed regulations and the economic impact follows.

K.A.R. 68-2-9. Change of ownership; duty of registrant to notify the board. This regulation is being amended as substantive provisions are already contained in the Pharmacy Act.

K.A.R. 68-2-10. Cessation of operations. This regulation specifies that a written explanation of the disposition of the remaining stock of drugs is required.

K.A.R. 68-2-11. Separate entrance. "Separate entrance" is changed to "security." This amended regulation requires that a pharmacy be secured to prevent access to prescription only drugs.

K.A.R. 68-2-12a. Minimum requirements. This regulation is being amended to permit pharmacies to include Internet sources in the reference library.

K.A.R. 68-2-20. Pharmacist's function in filling a prescription. This regulation is amended to permit students and interns to fill or refill prescriptions under the direct supervision of a licensed pharmacist.

K.A.R. 68-7-12. Responsibility of pharmacist-in-charge. Amendments to this regulation clarify the pharmacist-in-charge responsibilities to ensure compliance with all the state and federal drug laws.

K.A.R. 68-7-12a. Nonresident pharmacies. This regulation is amended to require that pharmacies located outside the state respond in a timely manner to any lawful request for information from the board.

K.A.R. 68-7-12b. Incident reports. This new regulation is amended from K.A.R. 68-7-12. This regulation requires all pharmacists who become aware of a real or alleged error in filling a prescription report the incident to the pharmacist-in-charge.

K.A.R. 68-9-2. Automated drug delivery systems. This regulation is being amended to permit pharmacy students and interns to load, unload and inspect drugs in the delivery system.

K.A.R. 68-11-1. Fees for examination and licensure as a pharmacist. This regulation was amended to require pharmacists pay a new application fee of \$50.

K.A.R. 68-11-2. Fees for premises registrations and permits. Amendments to this regulation update the title from permit to registration for pharmacies, manufacturers, distributors, institution drugs rooms and veterinarian medical teaching hospital pharmacies.

K.A.R. 68-12-2. Resale of dispensed prescription medication. Amendments to this regulation change the term "medication" to "drugs."

K.A.R. 68-13-1. Preparation, compounding and dispensing of parenteral products for other than immediate use. This regulation is amended to permit pharmacies that compound parenteral products to have access to a reference text in an electronic format.

Economic Impact: There is no anticipated economic impact on the public, registrants, the Board of Pharmacy or other governmental agencies.

Copies of the regulations and the economic impact statements may be obtained by contacting the Kansas Board of Pharmacy at the address above, (785) 296-4056, or from the board's Web site at www.accesskansas.org/pharmacy.

Susan A. Linn
Executive Director

Doc. No. 028374

State of Kansas

Secretary of State

Usury Rate for September

Pursuant to the provisions of K.S.A. 2001 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of September 1, 2002 through September 30, 2002, is 7.51 percent.

Ron Thornburgh
Secretary of State

Doc. No. 028364

State of Kansas

Secretary of State

Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A complete listing of Kansas state agencies, boards and commissions, and county officials are included in the Kansas Directory, published by the Secretary of State. The directory also is available on the Secretary of State's Web site at www.kssos.org. The following appointments were recently filed with the Secretary of State:

State Representative, 7th District

John J. Williams, 2394 9000 Road, Oswego, 67356. Term expires when a successor is elected and qualifies according to law. Succeeds Gene O'Brien, resigned.

Franklin County Commissioner, District 4

Dennis G. Woolman, Franklin County Courthouse, 325 S Main, Ottawa, 66067. Term expires when a successor is elected and qualifies according to law. Succeeds Raymond R. Carey, resigned.

Kansas Animal Health Board

Andrew L. Murphy, Route 5, Box 150, Great Bend, 67530. Term expires July 1, 2005. Reappointed.

Dennis Rezac, Rezac Livestock Commission Co., Inc., St. Marys, 66536. Term expires July 1, 2005. Reappointed.

Kansas Business Health Policy Committee

Martha L. Leonard, 9307 Belinder Road, Lenexa, 66206.

William L. Riley, 4555 Meadow Crest, Manhattan, 66502.

Cliff R. Sones, 1241 N. Pine Grove, Wichita, 67211.

Dealer Review Board

John Morse, P.O. Box 26, Centerville, 66014. Term expires June 30, 2005. Reappointed.

Timothy J. Sankey, 2651 Highland Ave., Salina, 67401. Term expires June 30, 2005. Reappointed.

Dale Willey, 2840 Iowa St., Lawrence, 66046. Term expires June 30, 2005. Reappointed.

Information Technology Executive Council

Richard E. Beyer, Secretary of Human Resources, 401 S.W. Topeka Blvd., Topeka, 66603. Term expires September 4, 2003. Reappointed.

J.D. Cox, M-E-C Company, 11 Century Parkway, Neodesha, 66757. Term expires September 4, 2003. Reappointed.

Dr. Robert Cox, 2220 Canterbury Drive, Hays, 67601. Term expires September 4, 2003. Reappointed.

Alan R. Kruse, 16666 S.W. 154th Terrace, Rose Hill, 67133. Term expires September 4, 2003. Succeeds Jo Hunt.

Pamela J. Madl, Douglas County Administrative Services, 1100 Massachusetts, Lawrence, 66044. Term expires September 4, 2003. Reappointed.

Douglas S. Quade, 2545 Lake Ridge Circle, Wichita, 67205. Term expires September 4, 2003. Succeeds Ronald McCreight.

Steven S. Richards, Secretary of Revenue, 2nd Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. Term expires September 4, 2003. Reappointed.

John R. Wine, Chairman, State Corporation Commission, 1500 S.W. Arrowhead, Topeka, 66604. Term expires September 4, 2003. Reappointed.

Kansas Law Enforcement Training Commission

Lt. Joseph T. Gimar, 1510 Willow Road, Hutchinson, 67502. Term expires July 1, 2006. Reappointed.

James F. Jarboe, 513 O'Laughlin, Box G, Lakin, 67860. Term expires July 1, 2006. Reappointed.

David L. Miller, 204 S. 5th St. East, Louisburg, 66053. Term expires July 1, 2006. Succeeds Robyn Johnson.

Bob G. Odell, Cowley County Sheriff, 910 Loomis, Winfield, 67156. Term expires July 1, 2006. Reappointed.

Gary E. Steed, Sedgwick County Sheriff, 2214 N. Crestline Court, Wichita, 67205. Term expires July 1, 2006. Reappointed.

Kansas Military Advisory Board

Lt. Colonel Lyn Smith, 14028 Highland Springs Court, Wichita, 67235. Serves at the pleasure of the Governor. Succeeds James Hower.

Northwest Kansas Regional Library System

Lawrence E. Wilson, P.O. Box 33, Gove, 67736. Term expires June 30, 2006. Reappointed.

Small Business Compliance Advisory Panel

Carl E. Kurt, 4508 Turnberry Drive, Lawrence, 66047. Term expires June 30, 2004. Reappointed.

Gary T. Mason, 4245 Ironwood, Wichita, 67226. Term expires June 30, 2004. Succeeds Kenneth Martin.

Ron Thornburgh
Secretary of State

Doc. No. 028372

State of Kansas

Secretary of State

Code Mortgage Rate for September

Pursuant to the provisions of K.S.A. 2001 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of September 1, 2002 through September 30, 2002, is 12 percent.

Ron Thornburgh
Secretary of State

Doc. No. 028365

State of Kansas

Board of Healing Arts

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Wednesday, November 6, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider the adoption of two proposed amended rules and regulations dealing with fees in the professions of occupational therapy and respiratory therapy.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the above referenced rules and regulations. All interested parties may submit comments prior to the hearing to the Board of Healing Arts at the address above. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the amendment of the regulations during the hearing. In order to give all persons an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulations being considered and the economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Tammy Duenas at (785) 296-8558. Handicapped parking is located at the west end of the Hutton Building, and the northwest entrance to the building is accessible.

A summary of the proposed amended rules and regulations to be considered at the hearing and their respective economic impact follows.

K.A.R. 100-54-4 and K.A.R. 100-55-4. These two proposed amended rules and regulations deal entirely with renewal fees collected by the board in the professions of occupational therapy and respiratory therapy.

The changes in revenues will not result in any economic impact to the public. The economic impact will be on the professions of respiratory therapy and occupational therapy. Estimates of extra revenue generated by the occupational therapy profession are FY 2003 - \$15,060; FY 2004 - \$15,490; and FY 2005 - \$15,920. Estimates of extra revenue generated by the respiratory therapy profession are FY 2003 - \$13,600; FY 2004 - \$13,875; and FY 2005 \$14,150.

Copies of the proposed regulations and the associated economic impact statement may be obtained by contact-

ing Betty Johnson, Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, 66603, (785) 296-3680, or by visiting the board's Web site at www.ksbha.org/public.htm.

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 028371

State of Kansas

Board of Healing Arts

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Thursday, November 7, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider the adoption of one proposed amended rule and regulation dealing with the release of records.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the above referenced rule and regulation. All interested parties may submit comments prior to the hearing to the Board of Healing Arts at the address above. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the adoption of the regulation during the hearing. In order to give all persons an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation being considered and the economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Tammy Duenas at (785) 296-8558. Handicapped parking is located at the west end of the Hutton Building, and the northwest entrance to the building is accessible.

A summary of the proposed amended rule and regulation to be considered at the hearing and its respective economic impact follows.

K.A.R. 100-22-1. Release of records. This amended regulation specifies what a reasonable time means for furnishing a copy of the patient record to the patient, or to the patient's legally authorized representative. Additionally, the regulation indicates that the licensee may charge a patient for reasonable costs for providing the patient record to another licensee for diagnostic or treatment purposes, but shall not make prepayment of these costs a condition for providing the record to the other licensee.

There is no foreseen cost to either the board or to the public to implement the amendment.

Copies of the proposed regulation and the associated economic impact statement may be obtained by contacting Betty Johnson, Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, 66603, (785) 296-3680, or by visiting the board's Web site at www.ksbha.org/public.htm.

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 028366

State of Kansas

**Council for Interstate Adult
Offender Supervision****Notice of Meeting**

The Kansas Council for Interstate Adult Offender Supervision will meet at 10 a.m. Tuesday, September 24, in Room 220-S of the State Capitol, 300 S.W. 10th Ave., Topeka. For additional information, call (785) 296-3310.

Charles E. Simmons
Secretary of Corrections

Doc. No. 028379

State of Kansas

**Department of Health
and Environment****Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. The Boeing Company - Wichita Division has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install a shot peen system. Emissions of particulate matter (PM) were evaluated during the permit review process.

The Boeing Company - Wichita Division owns and operates the stationary source located at 3801 S. Oliver, Wichita, at which the shot peen system with wet scrubber control is to be installed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and at the Wichita-Sedgwick County Department of Community Health, 1900 E. 9th, Wichita. To obtain or review the proposed permit and supporting documentation, contact Rick Bolfig, (785) 296-1576, at the KDHE central office; or Randy Owen, (316) 288-8449, at the Wichita-Sedgwick County Department of Community Health. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rick Bolfig, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business October 7.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business October 7 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 028385

State of Kansas

State Fair Board**Notice of Meeting**

The Kansas State Fair Board will meet during the Kansas State Fair, September 6-15, in the meeting room at the White House on the fairgrounds in Hutchinson. For further information, contact Deana Novak at (620) 669-3612.

Mary Alice Lair
President

Doc. No. 028370

State of Kansas

**Department of Health
and Environment****Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. High Plains Corporation has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 for an additional fermenter and a hammermill to increase capacity. Emissions of particulate matter (PM), particulate matter equal to or less than 10 microns in diameter (PM_{10.0}), volatile organic compounds (VOCs), carbon monoxide (CO), sulfur dioxide (SO₂) and oxides of nitrogen (NO_x) were evaluated during the permit review process.

High Plains Corporation, Colwich, owns and operates the stationary source located at 523 E. Union Ave., Colwich, at which the expansion is to be constructed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and at the Wichita-Sedgwick County Department of Community Health, 1900 E. 9th, Wichita. To obtain or review the proposed permit and supporting documentation, contact Dana Morris, (785) 296-1578, at the KDHE central office; or Randy Owen, (316) 268-844, at the Wichita-Sedgwick County Department of Community Health. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Dana Morris, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business October 7.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business October 7 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 028384

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment has received and reviewed an application to amend industrial landfill Permit No. 684 issued to the U.S. Department of the Army - Sunflower Army Ammunition Plant (SAAP). The requested permit amendment is to construct and operate an additional disposal cell for approximately 11,000 cubic yards of asbestos-containing materials resulting from demolition of structures on the SAAP property. The landfill site is located in the Northeast Quarter of Section 24, Township 13 South, Range 21 East in Johnson County, at 35425 W. 103rd St., DeSoto. The proposed disposal cell will cover approximately 3 acres and will be located on the SAAP property directly adjacent to the previous disposal cell. The asbestos-containing materials will be handled in accordance with state requirements to prevent releases. The proposed disposal cell will be excavated a maximum of 10 feet deep below the existing ground surface, and the final cover elevations will be a maximum of 4 feet higher than the existing ground surface. Active waste disposal in the proposed cell is anticipated to occur for several months, after which time the final cover will be constructed and maintained.

KDHE is providing public notice of its intent to issue a permit modification for the requested amendment. A copy of the administrative record, which includes the permit application, engineering drawings, draft permit and other information regarding this permit action, is available for public review until October 7 during normal business hours at the following locations:

Kansas Department of Health and Environment
Bureau of Waste Management
1000 S.W. Jackson, Suite 320
Topeka, 66612-1366
Contact: Paul Graves
(785) 296-1596

Johnson County Environmental Department
11180 Thompson Ave.
Lenexa, 66219
Contact: Phil Askey
(913) 492-0402

Anyone wishing to comment on the permit modification should submit written statements postmarked not later than October 7 to Paul Graves of KDHE (at the address listed above). KDHE will subsequently respond to all formal comments in writing.

After consideration of all formal comments received during the public notice period, KDHE will make a final decision on whether to issue the permit modification. Notice of the decision will be given to the applicant, to anyone who submitted written comments during the comment period and to those who requested notice of the final permit decision.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 028378

State of Kansas

Department of Health
and EnvironmentNotice Concerning Kansas
Water Pollution Control Permits

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared and/or permit applications have been received for discharges to the waters of the United States and the State of Kansas for the class of discharges described below.

The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a State Water Pollution Control Permit and National Pollutant Discharge Elimination System Authorization subject to certain conditions.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

Public Notice No. KS-AG-02-229/233
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Crist Feed Yard Inc. 553 W. Road 40 Scott City, KS 67871	W/2 of Section 12 & NW/4 of Section 13, T20S, R33W Scott County	Upper Arkansas River Basin
Kansas Permit No. A-UASC-C012 Federal Permit No. KS0118541		
This is a permit renewal for an expanding facility for 22,500 head (22,500 animal units) of beef cattle. The expansion consists of relocating and enlarging a previously approved lagoon. There is no change in head count or animal units.		
Permeability tests shall be conducted on the earthen wastewater retention structure, Lagoon #4. Permeability tests shall be completed after the soil liner has been compacted and prior to placing the earthen wastewater retention structure into service.		
Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.		

Name and Address of Applicant	Legal Description	Receiving Water
Nemaha River Dairy Bob Sextro Route 1, Box 36A Seneca, KS 66538	SW/4 of Section 11, T01S, R12E, Nemaha County	Kansas River Basin
Kansas Permit No. A-MONM-M024		
This is a permit renewal and modification of an existing facility for a maximum of 100 head of dairy cows (140 animal units), a maximum of 7 head of dairy heifers over 700 pounds (7 animal units) and a maximum of 25 head of dairy calves less than 700 pounds (12.5 animal units), for a total of 159.5 animal units.		
Permeability tests shall be conducted on sedimentation basin and the earthen tree filter and wetland cell. Permeability tests shall be completed within six months of permit issuance.		
Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/		

waste management plan most recently approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Holton Livestock Exchange, Inc. 13788 K-16 Hwy. Holton, KS 66436	SW/4 of Section 02, T07S, R15E, Jackson County	Kansas River Basin

Kansas Permit No. A-KSJA-B002

This is new permit and reduction in head count for an existing weekly salebarn facility with an average weekly sale of 318 head (318 animal units) of cattle greater than 700 pounds, 590 head (295 animal units) of cattle 700 pounds or less, 9 head (3.6 animal units) of swine greater than 55 pounds, 3 head (0.3 animal units) of sheep and goats, and 0.2 head (0.4 animal units) of horses, for a total of 617.3 animal units.

Changes in Kansas regulations required this facility, with an existing certification of compliance, to apply for a waste control permit. No new construction or expansion is proposed.

The manure/waste management plan most recently approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Kevin Larson 1215 Rock Road Scandia, KS 66966	SE/4 of Section 21, T03S, R04W, Republic County	Republican River Basin

Kansas Permit No. A-LRRP-B001

This is a new permit for a new facility for a maximum of 999 head of cattle weighing less than 700 pounds (499.5 animal units).

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and that have received manure or wastewater within the previous five years. In such cases, soil sampling and analysis shall be completed at least once during the permit cycle.

Permeability tests shall be conducted on the earthen wastewater retention structure(s). Permeability tests shall be completed after the soil liner(s) have been compacted and prior to placing the earthen wastewater retention structure(s) into service.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Gary Mattas 2929 15th Ave. Lindsborg, KS 67456-9801	SW/4 of Section 35, T16S, R03W, Saline County	Smoky Hill River Basin

Kansas Permit No. A-SHSA-B009

This is a new permit for an existing facility for 299 head (299 animal units) of cattle.

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and that have received manure or wastewater within the previous five years. In such cases, soil sampling and analysis shall be completed at least once during the permit cycle.

Permeability tests shall be conducted on the earthen wastewater retention structure(s). Permeability tests shall be completed after the soil liner(s) have been compacted and prior to placing the earthen wastewater retention structure(s) into service.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process.

Comments or objections should be submitted to the attention of Glenda Newquist for agricultural permits or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft permit or application notice postmarked or received on or before October 4 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-02-229/233) and name of applicant/application as listed when preparing comments.

If no objections are received during the public notice period regarding any proposed permit, the Secretary of Health and Environment will issue the final determination regarding issuance or denial of the proposed permit. If response to this notice indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

For agricultural permits and applications, a copy of the permit application, supporting documentation and a KDHE-developed fact sheet, if appropriate, is available for review at the appropriate district office:

Northwest District Office, 2301 E. 13th, Hays,
67601-2651, (785) 625-5664

North Central District Office, 2501 Market Place,
Salina, 67401-7699, (785) 827-9639

Northeast District Office, 800 W. 24th, Lawrence,
66046-4417, (785) 842-4600

Southwest District Office, 302 W. McArtor Road,
Dodge City, 67801-6098, (620) 225-0596

South Central District Office, 130 S. Market,
6th Floor, Wichita, 67202-3802, (316) 337-6020

Southeast District Office, 1500 W. 7th, Chanute,
66720, (620) 431-2390

Application information and components of plans and specifications for all new facilities and for expansions of existing swine facilities may be reviewed on the Internet at <http://www.kdhe.state.ks.us/feedlots>.

For all other proposed permits, the draft permit(s), including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received and other information, are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water.

Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays. These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 028382

(Published in the Kansas Register September 5, 2002.)

**Notice of Partial Redemption
to the Holders of
Johnson City, Kansas Housing Authority
First Mortgage Revenue Bonds
Series 1978 (Section 8 Housing)**

Notice is hereby given, pursuant to the applicable provisions of the governing documents of the above captioned bonds, that the herein described bonds are called for redemption prior to their maturity and will be redeemed on October 1, 2002 (the redemption date). Redemption will be made by payment of the principal amount of each such bond, together with interest accrued to the redemption date plus applicable premium, if any. From and after October 1, 2002, interest on the bonds shall cease to accrue, and any lien or interest in or to any pledge of security or collateral for the bonds hereby called shall also cease and become null on the redemption date.

The following bonds will be redeemed and paid upon presentation to the office(s) shown below:

***CUSIP Number: 478222AA0, 7.40%, Due: 10/01/08,
Redemption Price: 100%
Principal Amount of Redemption: \$20,000
Bearer Bonds called in the amount of \$5,000 each:**

54	65	70	77
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Payment of the bonds called for redemption will be made upon presentation and surrender of said bonds. In the case of any registered bonds to be redeemed in part only, upon presentation of such bond for redemption, there will be issued in lieu of the unredeemed principal portion a new bond(s) equal to such unredeemed portion.

Called bonds should be presented as follows:

By U.S. Mail:

The Commerce Trust Company
c/o Bank One Trust Company, NA
Corporate Trust Operations
P.O. Box 710184
Columbus, OH 43271-0184

By Overnight or Courier Delivery:

The Commerce Trust Company
c/o Bank One/Trust Company, NA
Suite 1-N (OH1-0184)
1111 Polaris Parkway
Columbus, OH 43240

Registered or certified insured mail is suggested when submitting bonds for payment.

When inquiring about this redemption, please have the bond number available. Please inform the customer service representative of the CUSIP number(s) of the affected bonds (Customer Service, 1-800-524-9472).

Federal law requires the payor to withhold at the current rate of withholding from the payment if a certified taxpayer (Social Security) number is not provided. Please furnish a properly completed Form W-9 or exemption certificate or equivalent when presenting your securities.

*The issuer and trustee shall not be responsible for the use of the CUSIP number(s) selected, nor is any representation made as to their correctness indicated in the notice

or as printed on any bond. They are included solely for the convenience of the holders.

Dated September 1, 2002.

By: The Commerce Trust Company
A Division of Commerce Bank, N.A.
as Trustee

Doc. No. 028377

State of Kansas

**Department of Health
and Environment**

**Notice of Commencement of State 20 J-1
Visa Waiver Review Program**

Notice is hereby given of the October 1, 2002, commencement of the State 20 J-1 Visa Waiver Program by the Kansas Department of Health and Environment. Created under the federal Immigration and Nationality Act, Title III, 22 CFR § 41.63, and also known as the Conrad 20, this program allows public health departments of state government to establish rules and policies that comply with immigration law and to serve as the "interested government agency" (IGA) for requesting waivers of Section 212(e) of the Immigration and Nationality Act (8 U.S.C. 1182), the provision requiring the two-year home-country physical presence, that pertains to individuals who are in the United States on J-1 exchange visitor visas. The State 20 (Conrad) J-1 Visa Waiver Program assists medically underserved Kansas communities in the recruitment and retention of physicians and also assists non-citizen physicians who are international medical graduates to obtain a waiver of the two-year home country residency requirement in exchange for practicing medicine in a location designated as a Health Professional Shortage Area (HPSA).

KDHE will review applications and make recommendations to the Waiver Review Division of the U.S. Department of State. The Waiver Review Division makes final recommendations to the Immigration and Naturalization Service concerning such waivers.

KDHE action is limited to recommending 20 waivers each year. The program focuses on primary care defined as general medicine, internal medicine, family practice, general pediatrics, obstetrics/gynecology, emergency medicine and psychiatry. Specialty requests are considered on a case by case basis and shall not exceed 20 percent of total waivers available to the state annually.

Application must be made by the legal entity making the contract offer to the physician seeking a J-1 visa waiver. Eligible applicants may request an application instruction packet detailing the required information at: J-1 State 20 Program, KDHE Office of Local and Rural Health, 1000 S.W. Jackson, Suite 340, Topeka, 66612-1365. Applications will only be accepted when there is a confirmed physician contract pending. The application instructions also will be available to download from the agency Web site at: <http://www.kdhe.state.ks.us/olrh>.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 028386

State of Kansas

**Office of Judicial Administration
Court of Appeals Docket**

(Note: Dates and times of arguments are subject to change.)

Kansas Court of Appeals
Court of Appeals Courtroom
Kansas Judicial Center
301 S.W. 10th Ave.
Topeka, Kansas

Before Rulon, C.J.; Beier, J.; and Brazil, S.J.

Tuesday, September 17, 2002

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
87,351	State of Kansas, Appellee, v. Lloyd Randolph Funk, Appellant.	Attorney General Jim D. Garner F. William Cullins, C.A. Sarah Ellen Johnson, Asst. A.D.	Montgomery
87,689	State of Kansas, Appellee, v. John Dale Cox, Appellant.	Attorney General Elizabeth Reimer, Asst. A.G. Theresa L. Barr, Asst. A.D.	Allen
88,370	Carlson Auction Services, Inc., d/b/a I-70 Auto Auction, Appellant, v. Rosalia Lopez, d/b/a Lopez Auto Sales and Mid-Continent Casualty, Garnishee, Appellee, and Carlson Auction Services, Inc., d/b/a I-70 Auto Auction, Appellant, v. Nathan T. Griddine, d/b/a N&W Auto Sales and Mid-Continent Casualty, Appellee.	Lynn D. Lauver Tammy N. Etem	Shawnee
88,583	In the Matter of the Adoption of M.D.K., a Minor Child.	Timothy E. Keck Steven P. Deiter	Brown
1:30 p.m.			
87,408	State of Kansas, Appellee, v. Rory D. Oliver, Appellant.	Attorney General Terri L. Johnson, C.A. Randall L. Hodgkinson, Asst. A.D.	Bourbon
88,089	Orvey R. Cousatte, Administrator of the Estate of Imogene Collier, Appellee, v. Natatia R. Collins; Commercial Federal Mortgage Corporation; Appellants Young, Bogle, McCausland, Wells & Blanchard, P.A.; and Marlo E. Goering and J. Michael Lehman d/b/a Goering & Lehman.	Richard V. Foote Nicholas S. Daily	Sedgwick
88,598	Gary Frost, Appellant, v. Janis Cook, Appellee.	Melissa R. Dugan, Legal Intern Stacey L. Cooper John H. Hutton	Shawnee
88,050	State of Kansas, Appellee, v. Clifford H. Swarthout, Jr., Appellant.	Attorney General Douglas F. Martin, C.A. Patrick H. Dunn, Asst. A.D.	Clay

(continued)

Wednesday, September 18, 2002

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
88,100	State of Kansas, Appellee, v. Archie L. Marks, Appellant.	Attorney General Robert D. Hecht, D.A. Stephen W. Kessler	Shawnee
87,444	Kansas Department of Agriculture, Appellant, v. Maczuk Industries, Inc., Appellee.	Joseph W. Lentz Patrick E. Henderson	Shawnee
88,473	In the Matter of the Marriage of Rebecca Anne Lewis, Appellee, and Robert Walter Lewis, Appellant.	Anne Burke Miller Bradley R. Finkeldei Winton A. Winter, Jr.	Douglas

Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
87,929	State of Kansas, Appellee, v. Thomas E. Dunn, Appellant.	Attorney General Jim D. Garner F. William Cullins, C.A. Rick Kittel, Asst. A.D.	Montgomery
87,858	State of Kansas, Appellee, v. Gerald L. Smith, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jeffery V. Rowe, Asst. D.A. Steven R. Zinn, Deputy A.D.	Sedgwick
88,563	Stephen H. Adams, Appellant, v. State of Kansas, Appellee.	Stephen H. Adams, #63867, Pro Se Kenneth Smith, Special Asst. A.G.	Leavenworth
88,726	Jung Sik Kim, Appellant, v. State of Kansas, Appellee.	Jung Sik Kim, #53928, Pro Se Attorney General Christopher L. Schneider, Asst. D.A.	Wyandotte
87,972	Russell L. England, Appellant, v. State of Kansas, Appellee.	Peter Maharry, Asst. A.D. Attorney General Keith E. Schroeder, D.A.	Reno
88,539	Wendell Anderson, Appellee, v. Scarlett Auto Interiors and State Farm Fire & Casualty Insurance Company, Appellants.	L. J. Leatherman Rex W. Henoch	Work Comp.
88,368	In the Interest of D.T., DOB: 10/02/99.	Patricia Aylward Kalb Sheryl A. Bussell, Asst. D.A.	Wyandotte
87,860	State of Kansas, Appellee, v. Randall Bradley, Appellant.	Attorney General Jim D. Garner F. William Cullins, C.A. Shawn Miniham, Asst. A.D.	Montgomery
88,040	Rodney M. Fleming, Appellant, v. State of Kansas, Appellee.	Bradley Peterson Attorney General David L. Miller, C.A.	Miami
88,544	In the Interest of: A.W., DOB: 01/18/86 A.C., DOB: 12/23/95	James T. Yoakum Sheryl A. Bussell, Asst. D.A.	Wyandotte
88,184 88,185	State of Kansas, Appellee, v. Patrick Card, Appellant.	Shawn Miniham, Asst. A.D.	Cherokee
87,473	State of Kansas, Appellee, v. Jason Giles Gardner, Appellant.	Attorney General William E. Kennedy, III, C.A. Nathan B. Webb, Asst. A.D.	Riley

Kansas Court of Appeals
Wyandotte County Courthouse
Division 17
710 N. 7th St., 3rd Floor
Kansas City, Kansas

Before Elliott, P.J.; Green, J.; and Paddock, S.J.

Tuesday, September 17, 2002

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
88,031	State of Kansas, Appellee, v. Robert Rowe, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Darrell Smith John M. Simpson Romana Mancini James D. Esseks	Johnson
88,326	Michael J. Ronnenbaum, Appellant, v. Keith Suter, Appellee.	James P. Colgan Edward J. Barbosa	Wyandotte
88,306	Ashley Hill, Appellant, v. Doniphan County, Appellee.	William J. Pauzauskie J. Steven Pigg	Doniphan
87,130	State of Kansas, Appellee, v. Billy W. Carter II, Appellant.	Attorney General Kelly J. McPherron, Legal Intern Angela M. Wilson, Asst. D.A. Patrick H. Dunn, Asst. A.D.	Douglas

1:30 p.m.

84,939	State of Kansas, Appellee, v. Robert C. Haag, Appellant.	Attorney General Richard G. Guinn, Asst. D.A. Paige A. Nichols, Asst. A.D.	Johnson
88,409	Garry and Susan Raskin, Individually, and as Next Friends of Kaley Raskin, a Mi- nor, and Victor and Janet Turnbaugh, Individually, and as Next Friends of Jenna Turnbaugh, a Minor, Appellants, v. Ken Allison and Karen Allison, Personally and as Guardians ad Litem of Chad Leathers, a Minor, Appellees.	Timothy S. Davidson Casey O. Housley	Johnson
87,994	In the Matter of the Marriage of Juel B. Tillery, Appellee, and Katherine L. Tillery, Appellant.	Richard D. Ralls J. Steven Schweiker	Johnson
87,938	In the Matter of the Marriage of Jean M. Ramsey, Appellee, and Carl C. Ramsey, Appellant.	Thomas L. Thurston Ronald W. Nelson Joseph W. Booth	Johnson

Wednesday, September 18, 2002

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
88,054	Karen M. DiVita, Appellant, v. Nancy Caviar, Appellee.	Karen M. DiVita, Pro Se James D. Griffin Erika K. Nelson	Johnson
86,507	State of Kansas, Appellee, v. Craig Pittman, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Autumn L. Fox	Johnson

(continued)

88,475	Continental Western Insurance Company, Appellant, v. KFS, Inc., f/n/a Keller Sales and Service, Inc., f/n/a Keller Fire & Safety Incorporated, Appellee.	Richard D. Fry E. Wayne Taff Barry E. Warren	Johnson
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Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
88,277	Ivan D. Beran and Florine K. Beran, Appellees, v. Arlin Spoo and Laird Spoo, Appellants.	Jason E. Brinegar William C. O'Keefe	Marshall
88,232	Edgar S. Howell III, Appellee, v. LaFarge Corporation, and Reliance National Indemnity Company, Appellant.	Dennis L. Phelps Christopher J. McCurdy	Work Comp.
88,041	James F. Garrett, Appellant, v. State of Kansas, Appellee.	Sara S. Beezley Attorney General Steve Stockard, Asst. C.A.	Crawford
87,806	State of Kansas, Appellee, v. Ricky L. Vaughn, Appellant.	Attorney General Assistant District Attorney Appellate Defender	Sedgwick
88,502	Manual Baraban, Louis Baraban, and Manual & Louise Baraban Trust, Appellants, v. Johnson County Board of Commissioners, Appellee.	J. Charles Droege Kathryn D. Myers	Johnson
87,657	State of Kansas, Appellee, v. Joyce E. Maxon, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. N. Trey Pettlon III	Johnson
88,620	State of Kansas, Appellant, v. Seth Joyce, Appellee.	Attorney General John H. Taylor, Asst. C.A. Troy V. Huser	Geary
87,976	Douglas Pichon, Appellant, v. L.E. Bruce, et al., Appellees.	Douglas K. Pichon, #43303, Pro Se Jon D. Graves	Reno
87,602	Watson K. Bradford, Appellant, v. State of Kansas, Appellee.	Janine Cox, Asst. A.D. Attorney General Frank E. Kohl, C.A.	Leavenworth
87,357	State of Kansas, Appellee, v.	Attorney General	Saline
87,358	Steven W. Wiegand II, Appellant.	Amanda Norris, Asst. C.A.	
87,359		Sarah Ellen Johnson, Asst. C.A.	
87,360			
87,361			
88,529	In the Matter of the Marriage of Molly Elizabeth Pryor, Appellee, and Doyle Ivan Pryor, Appellant.	Charles W. Harper Charles T. Engel Jason E. Geier	Riley
88,572	Robert McLeod, Appellant, v. First United Methodist Church of Pittsburg, Inc., Appellee.	Sara S. Beezley Crystal Marietta	Crawford

Kansas Court of Appeals
Sedgwick County Courthouse
Courtroom 11-1
525 N. Main, Wichita, Kansas
Before Marquardt, P.J.; Pierron, J.; and Rogg, S.J.
Tuesday, September 17, 2002
1:30 p.m.

Case No.	Case Name	Attorneys	Jurisdiction
86,918	Teresa Ramirez, Appellant, v. State of Kansas, Appellee.	Benjamin Casad Attorney General Matthew J. Richter, Asst. C.A.	Seward
88,227	State of Kansas, Appellee, v. John Wacker, a/k/a John Lee Wacker, Appellant.	Attorney General Joe Shepack, C.A. Dennis R. Davidson	Ellsworth
87,060	Robert L. Billbe, Jr., Appellant, v. State of Kansas, Appellee.	Robert L. Billbe, Jr., #35602, Pro Se Sandra Carr, Asst. A.D. Attorney General Tamara S. Hicks, Asst. C.A.	Finney
87,846	State of Kansas, Appellee, v. Shaun K. Beavers, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A. Kristen L. Chowning, Asst. A.D.	Sedgwick

Wednesday, September 18, 2002

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
88,011	State of Kansas, Appellant, v. Pammy L. Taylor, Appellee.	Attorney General Thomas R. Stanton, Deputy D.A. Francis E. Meisenheimer	Reno
87,437	State of Kansas, Appellee, v. Anthony T. Cameron, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Richard A. Olmstead, Asst. D.A. Cory D. Riddle, Asst. A.D.	Sedgwick
86,756	State of Kansas, Appellee, v. Eric L. Neal, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A. Cory D. Riddle, Asst. A.D.	Sedgwick
87,889	In the Matter of the Marriage of Cathy Hook, Appellee, and Mark Hook, Appellant.	John T. Bird Thomas C. Boone	Ellis

1:30 p.m.

86,651	State of Kansas, Appellee, v. Lawrence Jones, Jr., a/k/a Casadine Jones, a/k/a Lawrence Cassadine, Appellant.	Attorney General Julie A. Funk, Asst. C.A. Sarah Ellen Johnson, Asst. A.D.	Ford
87,166	State of Kansas, Appellee, v. Walter F. Gruenwald II, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A. Sarah Ellen Johnson, Asst. A.D.	Sedgwick

Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
87,944	Thuy Tran, Appellant, v. Excel Corporation, Appellee.	Terry J. Malone D. Shane Bangerter	Work Comp.

(continued)

88,668	In the Interest of: E.E.R., DOB: 06/19/85 C.J.R., DOB: 11/01/88 R.J.R., DOB: 05/21/93	Michael K. Johnston Robert W. Slinkard Richard N. Raleigh, C.A. Robert W. Christensen, G.A.L.	Barber
87,774	State of Kansas, Appellee, v. Joseph D. Chavez II, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Ian H. Taylor, Asst. D.A. Sarah Ellen Johnson, Asst. A.D.	Sedgwick
88,390	William Scott Morris, Appellee, v. Robert Daffron, Appellant.	F. C. "Rick" Davis II Robert W. Reynolds	Sedgwick
87,887	State of Kansas, Appellee, v. Talmadge F. Whitehead, Appellant.	Attorney General Asst. D.A. Appellate Defender	Sedgwick
88,632	Carol Hoppes, Appellee, v. Otho Rater, Appellant.	Otho L. Rater, Pro Se	Ellis
87,249	State of Kansas, Appellee, v. Shirley A. Bolden, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Ian H. Taylor, Asst. D.A. Kurt P. Kerns	Sedgwick
87,839	State of Kansas, Appellee, v. Dennis T. Bohannon, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jeffery V. Rowe, Asst. D.A. Rick Kittel, Asst. A.D.	Sedgwick
87,837	State of Kansas, Appellee, v. Reginald G. Dailey, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Ian H. Taylor, Asst. D.A. Kristen Chowning, Asst. A.D.	Sedgwick
88,231	Juan Ortiz, Appellant, v. Kansas Department of Revenue, Appellee.	Leslie A. Hess James G. Keller	Ford
87,672	State of Kansas, Appellee, v. Douglas W. Heller, Appellant.	Attorney General Benjamin J. Fisher, Asst. D.A. Nathan Webb, Asst. A.D.	Reno
87,864	Larry Huff, Appellant, v. Bruce Nelson, et al., Appellees.	Rebecca E. Woodman, Asst. A.D. Attorney General Faith A.J. Maughan, Asst. D.A.	Reno
87,941	In the Interest of: L.R.C., DOB: 06/17/91 R.D.C., DOB: 07/22/92 K.K.C., DOB: 02/08/96 J.L.J., DOB: 04/03/97 J.L.J., DOB: 10/19/98 Children Under 18 Years of Age.	William R. Griffith Tad D. Wagner	Sedgwick

**Kansas Court of Appeals
Old Sedgwick County Courthouse
510 N. Main, 3rd Floor
Wichita, Kansas**

Before Knudson, P.J.; Lewis, J.; and Buchele, S.J.

Tuesday, September 17, 2002

1:30 p.m.

Case No.	Case Name	Attorneys	Jurisdiction
88,503	In the Interest of M.K., DOB: 11/01/98.	Phillip L. Turner Dan E. Turner Thomas D. Arnhold Sara J. Sargent	Reno

87,395	State of Kansas, Appellee, v. Angela M. Majors, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jeffery V. Rowe, Asst. D.A. Sarah Ellen Johnson, Asst. A.D.	Sedgwick
86,692	Jack Goldsmith, Appellant, v. State of Kansas, Appellee.	Jack L. Goldsmith, #66725, Pro Se Larry R. Schwartz Attorney General James R. Spring, C.A.	Cowley
87,646	State of Kansas, Appellant, v. Trevor J. Corbett, Appellee.	Attorney General Keith E. Schroeder, D.A. Michael S. Holland	Reno

Wednesday, September 18, 2002**9:30 a.m.**

Case No.	Case Name	Attorneys	Jurisdiction
87,881	State of Kansas, Appellee, v. James D. Myers, Appellant.	Attorney General Matt Treaster, C.A. Patrick H. Dunn, Asst. A.D.	Harvey
86,851	State of Kansas, Appellee, v. Achaz Alford, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Richard A. Olmstead, Asst. D.A. Darla Lilley	Sedgwick
87,605	John L. Halloway, Appellant, v. State of Kansas, Appellee.	Gary W. Owens Attorney General Debra S. Peterson, Asst. D.A. Jeffery V. Rowe, Asst. D.A.	Sedgwick
88,551	State of Kansas, Appellant, v. Octavio Leanos, Appellee.	Attorney General Vernon E. Buck, Asst. C.A. Don C. Krueger	Lyon

1:30 p.m.

87,871	State of Kansas, Appellee, v. John Don Layton, Appellant.	Attorney General Ty Kaufman, C.A. Cory Riddle, Asst. A.D.	McPherson
87,856	State of Kansas, Appellee, v. Robert P. Sabater, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Richard A. Olmstead, Asst. D.A. Mary Curtis, Asst. A.D.	Sedgwick

Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
87,781	In the Interest of: A.A.B., DOB: 04/11/88 B.D.B., DOB: 10/04/89 B.L.B., DOB: 05/04/91 J.K.B., DOB: 01/16/96	William R. Griffith Larry S. Vernon	Sedgwick
86,056 86,146	State of Kansas, Appellee, v. Daniel J. Johnson, Appellant.	Attorney General Mark Frame, C.A. Kristen Chowning, Asst. A.D.	Edwards
87,510	State of Kansas, Appellee, v. Darrell L. Shaw, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Richard A. Olmstead, Asst. D.A. Sandra Carr, Asst. A.D.	Sedgwick
87,501	State of Kansas, Appellee, v. David D. Woods, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Ian H. Taylor, Asst. D.A. Rick Kittel, Asst. A.D.	Sedgwick

(continued)

88,501	Patricia Ponder-Coppage, Appellee, v. State of Kansas and State Self-Insurance Fund, Appellant.	Jim L. Lawing Jeffery R. Brewer	Work Comp.
85,807	Cleave E. Sims III, Appellant, v. State of Kansas, Appellee.	Stephen B. Plummer Attorney General Debra S. Peterson, Asst. D.A. Richard A. Olmstead, Asst. D.A.	Sedgwick
88,634	State of Kansas, Appellant, v. Robert K. Gormley, Appellee.	Attorney General Melissa D. Thiesing, C.A. Angela Trimble	Neosho
88,444	In the Matter of G.R.A.F., Respondent, DOB: 01/05/84.	Jerome E. Jones Debra S. Peterson, Asst. D.A. Jeffery V. Rowe, Asst. D.A.	Sedgwick
88,282	Salvador Robles, Appellant/Cross- Appellee, v. National Beef Packing Company, L.P., and Wausau Insurance Companies, Appel- lees/Cross-Appellants.	Stanley R. Ausemus D. Shane Bangerter	Work Comp.
88,195	Michael L. Gaines, Appellant, v. Joy Spilker, Gary L. Wilson and Michael L. Nelson, Appellees.	Michael L. Gaines, #33515, Pro Se Julie Riddle	Butler
88,580	Clifford D. Price, Appellant, v. Charles E. Simmons, et al., Appellees.	Clifford D. Price, #20697, Pro Se Jon D. Graves	Reno
87,939	In the Interest of M.S., DOB: 01/30/97, Minor Child Under 18 Years of Age.	Verlin A. Ingram Jim L. Lawing	Sedgwick
87,666	State of Kansas, Appellee, v. David Trotter, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A. Korey A. Kaul, Asst. A.D.	Sedgwick

**Kansas Court of Appeals
Court of Appeals Courtroom
Kansas Judicial Center
301 S.W. 10th Ave.
Topeka, Kansas**

Before Knudson, P.J.; Johnson, J.; and Brazil, S.J.

Thursday, September 19, 2002

Special Setting

1:30 p.m.

Case No.	Case Name	Attorneys	Jurisdiction
87,924	In the Interest of T.F. and A.M.F., Each Child Under the Age of 18.	Randall E. Fisher Matt Treaster, C.A.	Harvey
88,764	In the Matter of the Adoption of T.S.F. and A.M.F.	Randall E. Fisher Gregory C. Nye	Harvey
			Carol G. Green Clerk of the Appellate Courts

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the KDOT 7th floor conference room in the Docking State Office Building, 915 S.W. Harrison, Topeka, until 2 p.m. September 25 and then publicly opened:

District One

Wyandotte—635-105 K-4890-01 - I-635 from the junction of K-32 north to 0.3 mile (0.5 kilometer) north of U.S. 24, 2.3 miles (3.7 kilometers), pavement reconstruction. (Federal Funds)

Wyandotte—70-105 K-4890-02 - I-70, 12 miles (19.3 kilometers) east of the Leavenworth-Wyandotte county line east 1.3 miles (2.1 kilometers), pavement reconstruction. (Federal Funds)

Wyandotte—635-105 K-7952-01 - I-635 bridges over the Burlington Northern-Santa Fe Railroad and old K-132, bridge repair. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid.

This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

E. Dean Carlson
Secretary of Transportation

Doc. No. 028347

State of Kansas

Department of Administration

Division of Purchases

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Room 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

Monday, September 16, 2002

05379

Adjutant General's Department—Snow Removal Services

05381

Adjutant General's Department—Termite Control Services, Manhattan

05401

Kansas Highway Patrol—Full-Size Automobiles, Topeka

Tuesday, September 17, 2002

05387

Lansing Correctional Facility—Refuse/Compactor Services

Wednesday, September 18, 2002

05413

Adjutant General's Department—Construct Military Vehicle Storage Compound

Thursday, September 19, 2002

05405

Emporia State University — Elevator Maintenance

Tuesday, September 24, 2002

A-9433 (A)

Kansas State University—B13 Parking Lot Irrigation and Landscape

A-9534

Adjutant General's Department—Allied Trades Building, Salina

A-9546

Adjutant General's Department—Interior Renovation, Organizational Maintenance Shop #7, Kansas City

Wednesday, September 25, 2002

A-9543

Adjutant General's Department—AT/FP Security Fencing, Headquarters Complex

Thursday, September 26, 2002

A-9317

Adjutant General's Department—Armory Renovation, Hutchinson

A-9490

University of Kansas—Roof and Masonry Repairs, Jayhawker Tower Apartments "C"

A-9533

Emporia State University—Roof Replacement Project, Apartment "H"

(continued)

Thursday, October 3, 2002

A-9373

University of Kansas—KU Edwards Campus Building
No. 2, Overland Park

John T. Houlihan
Director of Purchases

Doc. No. 028388

(Published in the Kansas Register September 5, 2002.)

Summary Notice of Bond Sale
Riley County, Kansas
\$1,300,000*
General Obligation Bonds, Series 2002
(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Bids will be received by the county clerk of Riley County, Kansas, on behalf of the governing body at 110 Courthouse Plaza, Manhattan, KS 66502, until 11 a.m. September 16, 2002, for the purchase of \$1,300,000* principal amount of General Obligation Bonds, Series 2002. No bid of less than the entire par value of the bonds, except a discount of not greater than 0.75 percent of the par value of the bonds, and accrued interest to the date of delivery will be considered. The bids will be received in the manner described in and subject to the requirements of the notice of sale dated September 5, 2002.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated September 1, 2002, and will become due September 1 in the years as follows:

Maturity September 1	Principal Amount*
2003	\$ 85,000
2004	90,000
2005	90,000
2006	100,000
2007	50,000
2008	50,000
2009	55,000
2010	55,000
2011	55,000
2012	60,000
2013	45,000
2014	50,000
2015	55,000
2016	55,000
2017	55,000
2018	65,000
2019	70,000
2020	70,000
2021	70,000
2022	75,000

The bonds will bear interest from their dated date at rates to be determined when the bonds are sold payable semiannually on March 1 and September 1 in each year, beginning March 1, 2003. A bidder may elect to have all

or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$26,000 (2 percent of the principal amount of the bonds).

Delivery

The county will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about September 30, 2002, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations of the county for the year 2002 is \$325,559,898 (including 2001 motor vehicle valuation). The total general obligation indebtedness of the county as of the date of the bonds, including the bonds being sold, is \$12,792,508. Outstanding temporary notes of the county in the amount of \$1,330,000 will be redeemed from the proceeds of the bonds and other available funds.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Logan Riley Carson & Kaup, L.C., Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the county and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the county clerk, (785) 537- 6300, fax (785) 537-6394; from the county's financial advisor, USBancorp Piper Jaffray, Kansas City, Missouri, Attention: Greg Vahrenberg, (816) 360-3074; or from bond counsel, Logan Riley Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated September 5, 2002.

Riley County, Kansas
By Rich Vargo
Riley County Clerk
110 Courthouse Plazar
Manhattan, KS 66502

*Subject to change.

Doc. No. 028387

State of Kansas

Statewide Independent Living Council

Notice of Meeting

The Statewide Independent Living Council of Kansas, Inc. will meet at 10 a.m. Friday, September 13, in the basement conference room of the Topeka Independent Living Resource Center, 501 S.W. Jackson, Topeka. For more information, contact Mary Lou Dunn or Shannon Jones at (785) 234-6990 or 1-800-217-4525, or email at Marylouya@aol.com.

Shannon Jones
Executive Director

Doc. No. 028367

(Published in the Kansas Register September 5, 2002.)

Summary Notice of Bond Sale

City of Concordia, Kansas

\$1,850,000

General Obligation Tax Increment Bonds
Series 2002C(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated August 21, 2002, sealed, facsimile and electronic bids will be received on behalf of the governing body of the City of Concordia, Kansas (the issuer), by Springsted Incorporated, the issuer's financial advisor, in the case of sealed and facsimile bids, at 85 E. 7th Place, Suite 100, St. Paul, MN 55101, (651) 223-3000, fax (651) 223-3046, and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 10:30 a.m. September 18, 2002, for the purchase of \$1,850,000 principal amount of General Obligation Tax Increment Bonds, Series 2002C. No bid of less than 98.7 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated September 15, 2002, and will become due annually on November 1 in the years as follows:

Year	Principal Amount
2003	\$ 70,000
2004	80,000
2005	80,000
2006	80,000
2007	85,000
2008	85,000
2009	90,000
2010	95,000
2011	95,000
2012	100,000
2013	105,000
2014	110,000
2015	115,000

2016	120,000
2017	125,000
2018	130,000
2019	140,000
2020	145,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning May 1, 2003.

Book-Entry-Only System

The bonds will be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$37,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about September 30, 2002, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2001 is \$25,092,615. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$5,195,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk at City Hall, P.O. Box 603, Concordia, KS 66901, (785) 243-2670, fax (785) 243-3328; or from the financial advisor at the address set forth above, Attention: Bruce Kimmel.

Dated August 21, 2002.

City of Concordia, Kansas

Doc. No. 028381

(Published in the Kansas Register September 5, 2002.)

**Summary Notice of Bond Sale
Unified School District No. 259
Sedgwick County, Kansas (Wichita)
\$94,830,000**

General Obligation Bonds

**(General obligation bonds payable from
unlimited ad valorem taxes)**

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated as of August 27, 2002, of Unified School District No. 259, Sedgwick County, Kansas (Wichita), sealed, facsimile and electronic bids for the purchase of the bonds shall be received at the office of the school district's chief financial officer at 201 N. Water, 6th Floor, Room 603, Wichita, KS 67202, until 4 p.m. Monday, September 23, 2002, for the purchase of the school district's General Obligation Bonds, Series 2002, which are hereinafter described. All bids shall be publicly opened and read aloud by school district staff on said date and at said time and shall thereafter be immediately considered and acted upon by the school district at a meeting to begin at 6 p.m. No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Sealed and facsimile bids will be accepted only on the official bid form that has been prepared for these bonds, which may be obtained from the clerk of the school district or from the school district's financial advisors. Bids may be submitted by mail or delivered in person, may be submitted by telefacsimile at (316) 973-4600, or may be electronically bid through the BiDCOMP/PARITY Electronic Bid Submission System (PARITY). To the extent any instruction or directions set forth in PARITY conflict with the official notice of sale, the terms of the official notice of sale shall control. The school district shall not be responsible for any failure, misdirection or error in the means of transmission selected by any bidder. For further information about the electronic bidding services of PARITY, potential bidders may contact PARITY at 395 Hudson St., New York, NY 10014, (212) 806-8304. All bids must be received at the place and not later than the date and time herein specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the school district, or in the form of a financial surety bond payable to the order of the school district and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds to be sold are in the aggregate principal amount of \$94,830,000. The bonds shall be issued as fully registered certificated bonds, without coupons, in the denomination of \$5,000 or any integral multiple thereof not exceeding the principal amount of bonds maturing in any year. The bonds shall bear a dated date of September 15, 2002. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder

for the bonds. The bonds shall be subject to redemption prior to their respective maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on April 1 and October 1 of each year, commencing April 1, 2003, and the bonds shall mature serially on October 1 in each of the years and principal amounts as follows:

Maturity Schedule

Principal Amount	Year of Maturity
\$6,450,000	2003
\$3,230,000	2004
\$3,455,000	2005
\$3,675,000	2006
\$3,925,000	2007
\$4,170,000	2008
\$4,455,000	2009
\$4,720,000	2010
\$5,010,000	2011
\$5,320,000	2012
\$5,625,000	2013
\$5,985,000	2014
\$6,300,000	2015
\$6,610,000	2016
\$9,670,000	2017
\$16,230,000	2018

Security for the Bonds

The bonds and the interest thereon constitute general obligations of the school district, and the full faith, credit and resources of the school district will be pledged to the payment thereof. The school district will be obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the school district for the purpose of paying the bonds and the interest thereon.

Form of Bonds

The bonds will be issued in book-entry-only form.

Paying Agent and Bond Registrar; Payment of Principal and Interest

INTRUST Bank, N.A., Wichita, Kansas, has been designated as paying agent and bond registrar for the bonds (hereinafter called the paying agent). The principal amount of and the interest on the bonds shall be paid by the paying agent from funds made available by the school district by wire transfer of same day funds to Cede & Co., nominee for the Depository Trust Company, New York, New York (DTC). The transfer of principal and interest payments to the participants of DTC will be the responsibility of DTC, and the transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. Reference is made to the official notice of bond sale for additional information regarding payment of principal and interest to owners of the bonds.

Redemption

Certain of the bonds are subject to redemption as set forth in the official notice of bond sale. Additionally, a bidder may elect to have one or two of the bonds shown in the above maturity schedule issued as term bonds,

which would be subject to mandatory redemption requirements. (Reference is made to the official notice of bond sale for complete details regarding redemption of the bonds.)

Delivery

The bonds shall be delivered at the expense of the school district on or about October 23, 2002. As a condition to delivery, the successful bidders shall be required to deposit the bonds with DTC. (Reference is made to the official notice of bond sale for additional information regarding delivery.)

Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle Elkouri Law Firm L.L.C., Wichita, Kansas, bond counsel, whose fees will be paid by the school district. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of legal matters.)

Ratings

The school district has applied at its expense for an independent rating on the bonds herein offered for sale. If the successful bidder elects to purchase the bonds with municipal bond insurance, the rating agencies will assign their ratings to this issue with the understanding that upon delivery of the bonds, a policy insuring the payment when due of the principal of and interest on the bonds will be issued by one of the below-named insurers. Such application and ratings are further described in the preliminary official statement, hereinafter described.

Optional Municipal Bond Insurance

Applications have been submitted to AMBAC Assurance Corporation, MBIA Insurance Corporation, Financial Securities Assurance Inc. and Financial Guaranty Insurance Company for municipal bond insurance relating to the bonds. The bonds may be purchased with or without this insurance at the option of the successful bidder. All expenses associated with the purchase of said insurance, including any additional rating agency fees related thereto, will be the responsibility of the successful bidder. The amount of such premium and fees may be obtained from the above-named insurers. The insurance policy, if purchased, will insure the timely payment of the principal of and interest on the bonds. Bidders desiring to purchase the optional municipal bond insurance must so indicate on the official bid form.

Financial Matters

The school district's equalized assessed tangible valuation for computation of bonded debt limitations is \$2,261,281,359. Including the bonds described herein, on September 15, 2002, the school district's outstanding bonded indebtedness will be \$264,345,000.

Official Statement

The school district has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the school district or the school district's financial advisors. The preliminary official statement is in a form "deemed final" by the school district for the pur-

pose of Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. The school district will provide the purchaser of the bonds or its designated agent, within seven business days after the date of the sale, copies of the school district's final official statement, in sufficient quantity to comply with the rules of the Securities and Exchange Commission and the Municipal Securities Rulemaking Board. The school district will deliver to the purchaser of the bonds, at the time of delivery of the bonds, a certificate of its authorized officials to the effect that, to the best of their knowledge, in said official notice of bond sale and preliminary official statement and in the official statement, the school district has not made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made therein, in light of the circumstances under which they were made, not misleading. Authorization is hereby given to redistribute this official notice of bond sale and the preliminary official statement, but this entire official notice of bond sale and the entire preliminary official statement, and not portions thereof, must be redistributed.

Continuing Disclosure

The school district has adopted a resolution establishing a master undertaking to provide ongoing disclosure concerning the school district in connection with its general obligation bonds for the benefit of owners of the bonds, as required under Section (b)(5)(i) of Securities and Exchange Commission Rule 15c2-12. A copy of that resolution is included as an appendix to the official statement.

Additional Information

For additional information regarding the school district, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and the school district's preliminary official statement and official bid form for the bonds, all of which may be obtained from the undersigned or from the school district's financial advisors by contacting George K. Baum & Company, 100 N. Main St., Suite 810, Wichita, KS 67202-1375, (316) 264- 9351; and Claymore Securities, Inc., 250 N. Rock Road, Suite 150, Wichita, KS 67206-2241, (316) 681-3123.

Unified School District No. 259
Sedgwick County, Kansas (Wichita)
by R. Arlene Moore, Clerk
201 N. Water
Wichita, KS 67202
(316) 973-4531
Fax (316) 973-4600

Doc. No. 028376

State of Kansas

Social and Rehabilitation Services**Notice of Proposed ICF/MR Cost Center Limits**

The following proposed ICF/MR cost center limits are being set forth for public comment, which comment period will expire in 30 days from the publication of this notice. Comments should be sent to Cynthia Capellari, Community Supports and Services, 10th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1570.

K.A.R. 30-10-214 provides for the annual review and adjustment of ICF/MR cost center limits, approved by the secretary of SRS or designee, based on current cost information supplied by the enrolled, licensed providers of ICF/MR services, and a formula set forth in the Kansas State Medicaid Plan (attachment 4.19-D, Part II, Subpart O, page 1).

The formula is as follows: Total allowable costs, including an inflation factor, are compared to the amount to be reimbursed under the current limits. The formula threshold requires that 75 percent of all ICFs/MR facilities are reimbursed 95 percent of their allowable costs. If less than 75 percent of the facilities are reimbursed 95 percent of their allowable costs, then the cost center limits are adjusted upward until the threshold is met. The inflation factor is based on the DRI index, and is 2.7 percent.

To determine where to make the adjustments, the two major cost centers are analyzed according to the following prescription:

Administrative costs are based on facility size.

Habilitation costs are based on facility size *and* level of care (LOC).

The cost analysis for 2002 showed that 48 percent of licensed ICFs/MR were being reimbursed 95 percent or more for their allowable costs, and 52 percent were receiving less. An adjustment was required.

Recommendations

Based on the cost analysis, it was determined that all ICFs/MR will receive an increase in both of their cost centers. The following increases are being recommended:

Administration (per diem)

Size A from \$9.50 to \$10.00
Size B from \$19.00 to \$23.00
Size C from \$25.75 to \$28.00

The respective percent increases are: 5.3%, 21.0% and 8.7%.

Habilitation (per diem)

Size A, LOC 2 from \$115.25 to \$118.35
Size B, LOC 1 from \$137.50 to \$148.00
Size B, LOC 3 from \$127.00 to \$133.40
Size B, LOC 4 from \$112.00 to \$123.00
Size C, LOC 1 from \$185.50 to \$191.00
Size C, LOC 2 from \$153.00 to \$158.00
Size C, LOC 3 from \$140.50 to \$151.00

The respective percent increases are: 3.0%, 8.0%, 5.0%, 10.0%, 3.0%, 3.0% and 7.0%.

These adjustments meet the threshold. Twenty-four facilities out of a total of 31 (77 percent) have 95 percent reimbursement of allowable costs.

Fiscal Impact

The fiscal impact of the above increases is: \$443,694, all funds; \$176,768, state general funds; and \$266,926, federal financial participation.

Janet Schalansky
Secretary of Social and
Rehabilitation Services

Doc. No. 028375

State of Kansas

Governmental Ethics Commission**Opinion No. 2002-21**

Written August 15, 2002, to Peggy Kelly, Paola.

This opinion is in response to your letter of July 15, 2002, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand that you request this opinion in your capacity as a Public Service Executive II with the office of the Kansas Department of Social & Rehabilitation Services (SRS). You have explained that your agency contracts with ASM Associates (ASM) which is owned by Dr. Beverly Ford. Dr. Ford, through ASM, performs consulting services for your agency. You have participated in the making of contracts between SRS and ASM.

You have also explained that you own a private business known as Kelly Glen Company, which you operate as a sole proprietorship. In this business, you act as an independent contractor for Quixtar Inc., an internet/catalog based distribution service. You receive compensation based upon the volume of products that flow through your business. In addition, you develop relationships with other people who wish to work as independent contractors for Quixtar. You "sponsor" or mentor these individuals and are compensated by Quixtar, by receiving credit for the products that flow through their businesses. You have informed us that you are not an employee of those that you sponsor nor are they your employees. You are both independent businesses coordinating efforts as independent contractors for Quixtar. You would like to sponsor Dr. Ford's husband, Ulysses Ford.

Question

May a Public Service Executive II with the Kansas City SRS office form a business relationship with the husband of a woman who performs consulting services for your agency?

Opinion

K.S.A. 46-233 applies to this question. It states in pertinent part:

(a) (1) No state officer or employee shall in the capacity as such officer or employee be substantially involved in the preparation of or participate in the making of a contract with any person or business by which such officer or employee is employed or in whose business such officer or employee or any member of such officer's or employee's immediate family has a substantial interest. . . .

(2) Except as otherwise provided in this subsection, whenever any individual has participated as a state officer or employee in the making of any contract with any person or business, such individual shall not accept employment with such person or business as an employee, independent contractor or subcontractor until two years after performance of the contract is completed or until two years after the individual terminates employment as a state officer or employee, whichever is sooner.

Pursuant to subsection (1) of this statute, you would be prohibited from being substantially involved in the making of a state contract with a business in which you were employed or in which you or a member of your family had a substantial interest. As you have described it, your involvement with Mr. Ford's new business does not give you a substantial interest in either Dr. Ford or Mr. Ford's businesses. See K.S.A. 46-229. Therefore, you would not violate this section by being involved in the making of future state contracts with ASM or Mr. Ford's new business.

Pursuant to subsection (2) above, you would be prohibited from accepting employment as an employee, independent contractor, subcontractor or consultant with a business with which you had been involved in the making of a state contract. Because you were involved in the making of a contract with ASM, you would be prohibited from accepting employment with ASM until two years after performance of the contract is completed or until two years after you terminate state employment, whichever is sooner. You have not, however, been involved in the making of a state contract with Mr. Ford or his business. Thus, this section of the statute would not apply to any type of business relationship you might develop with Mr. Ford's new business. Therefore, based upon the factual scenario you have presented, you could form this business relationship with Mr. Ford, without violating the state level conflict of interest laws.

Opinion No. 2002-22

Written August 15, 2002, to all interested persons:

Pursuant to K.S.A. 25-4159, the Kansas Governmental Ethics Commission takes the opportunity to issue its opinion regarding the use of campaign funds, pursuant to K.S.A. 25-4157a, for expenses associated with account management, taxes, and related expenses.

Opinion

K.S.A. 25-4157a states in pertinent part:

No moneys received by any candidate or candidate committee of any candidate as a contribution under this act shall be used or be made available for the personal use of the candidate and no such moneys shall be used by such candidate or the candidate committee of such candidate except for:

(1) Legitimate campaign purposes;

(2) expenses of holding political office;

. . .

For the purpose of this subsection, expenditures for "personal use" shall include expenditures to defray normal living expenses for the candidate or the candidate's family and expenditures for the personal benefit of the candidate having no direct connection with or effect upon the campaign of the candidate or the holding of public office.

The question has arisen whether candidates or candidate committees may use the funds in their campaign accounts for expenses associated with maintaining the funds or the accounts where the funds are kept. Such expenses may include, but are not limited to, account fees, overdraft charges, interest payments on loans, taxes, and penalties or fines associated with the account or funds. The Commission notes that K.S.A. 25-4147(e) prohibits candidates and candidate committees from commingling personal funds with campaign funds. Because a campaign account is a necessary part of being a candidate, the Commission now determines that maintaining a campaign account has a "direct connection with or effect upon the campaign of the candidate or the holding of public office." Therefore, expenses associated with maintaining such an account or the funds in such an account may be paid for with campaign funds.

Daniel Severt
Chairman

Doc. No. 028368

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 31.—HAZARDOUS WASTE MANGEMENT STANDARDS AND REGULATIONS

28-31-1. General provisions. (a) The following federal regulations, as in effect on July 1, 2000, are hereby adopted by reference:

- (1) 40 CFR Part 124, subparts A and B;
- (2) 40 CFR Part 260, except 260.21 and 260.22;
- (3) 40 CFR Part 261, except 261.5;
- (4) 40 CFR Part 262, except 262.10 (b) and 262.34 (b) through (i);
- (5) 40 CFR Part 263, except 263.10 (a) and 263.20 (h);
- (6) 40 CFR Parts 264, 265, 266, and 268;
- (7) 40 CFR Part 270, except subpart H;
- (8) 40 CFR Part 273; and
- (9) 40 CFR Part 279, except 279.10 (b)(3).

(b) The following federal regulations, as in effect on October 1, 2000, are hereby adopted by reference:

- (1) 49 CFR Part 172;
- (2) 49 CFR Part 173;
- (3) 49 CFR Part 178; and
- (4) 49 CFR Part 179.

(c) When used in any provision adopted from 40 CFR Parts 124, 260, 261, 262, 263, 264, 265, 266, 268, 270, 273, or 279, the following substitutions shall be made:

(continued)

(1) "The United States" shall be replaced with "the state of Kansas."

(2) "Environmental protection agency" shall be replaced with "Kansas department of health and environment."

(3) "Environmental appeals board" shall be replaced with "secretary."

(4) "Generators of greater than 100 kg but less than 1,000 kg of hazardous waste in a calendar month" shall be replaced with "generators of more than 25 kg but less than 1,000 kg of hazardous waste in a calendar month."

(5) "Administrator" and "regional administrator" shall be replaced with "secretary."

(6) "Federal Register" shall be replaced with "Kansas Register."

(d) When used in any provision adopted from 40 CFR Part 262, "generator" shall be replaced with "EPA or Kansas generator," except in 262.34, where "generator" shall be replaced with "EPA generator." (Authorized by and implementing K.S.A. 2001 Supp. 65-3431; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Feb. 5, 1990; amended April 25, 1994; amended June 4, 1999; amended Sept. 20, 2002.)

28-31-2. Definitions. (a) The definitions in 40 CFR Part 260, subpart B shall apply to all of the regulations in article 31.

(b) "Disposal authorization" means approval from the secretary to dispose of hazardous waste in Kansas.

(c) "EPA generator" means any person who meets any of the following conditions:

(1) Generates in any single calendar month 1,000 kilograms (2,200 pounds) or more of hazardous waste;

(2) accumulates at any time 1,000 kilograms (2,200 pounds) or more of hazardous waste;

(3) generates in any single calendar month 1 kilogram (2.2 pounds) or more of acutely hazardous waste;

(4) accumulates at any time 1 kilogram (2.2 pounds) or more of acutely hazardous waste;

(5) generates in any single calendar month 25 kilograms (55 pounds) or more of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill of any acutely hazardous waste; or

(6) accumulates at any time 25 kilograms (55 pounds) or more of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill of acutely hazardous waste.

(d) "Kansas generator" means any person who meets all of the following conditions:

(1) Generates in any single calendar month 25 kilograms (55 pounds) or more and less than 1,000 kilograms (2,200 pounds) of hazardous waste;

(2) accumulates at any time less than 1,000 kilograms (2,200 pounds) of hazardous waste;

(3) generates in any single calendar month less than 1 kilogram (2.2 pounds) of acutely hazardous waste;

(4) accumulates at any time less than 1 kilogram (2.2 pounds) of acutely hazardous waste;

(5) generates in any single calendar month less than 25 kilograms (55 pounds) of any residue or contaminated

soil, waste, or other debris resulting from the cleanup of a spill of acutely hazardous waste; and

(6) accumulates at any time less than 25 kilograms (55 pounds) of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill of acutely hazardous waste.

(e) "Small quantity generator" means any person who meets both of the following conditions:

(1) Generates in any single calendar month less than 25 kilograms (55 pounds) of hazardous waste; and

(2) meets the conditions of a Kansas generator listed in paragraphs (d)(2) through (d)(6) of this regulation.

(f) Differences between state and federal definitions. When the same term is defined both in the Kansas statutes or these regulations and in any federal regulation adopted by reference in these rules and regulations and the definitions are not identical, the definition prescribed in the Kansas statutes or regulations shall control, except for the term "solid waste."

In this regulation, each reference to a federal regulation shall be deemed to refer to that federal regulation as adopted by reference in K.A.R. 28-31-1. (Authorized by and implementing K.S.A. 2001 Supp. 65-3431; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, Feb. 10, 1983; amended May 1, 1984; amended, T-85-42, Dec. 19, 1984; amended May 1, 1985; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Feb. 5, 1990; amended April 25, 1994; amended June 4, 1999; amended Sept. 20, 2002.)

28-31-3. Identification and listing of hazardous waste. (a) The requirements for the identification and listing of hazardous waste shall be those requirements set forth in 40 CFR Part 261, except for 261.5.

(b) The requirements for rule-making petitions shall be those requirements specified in 40 CFR Part 260, subpart C. A reevaluation of a petition that has previously been approved may be conducted by the secretary at any time for just cause.

In this regulation, each reference to a federal regulation shall be deemed to refer to that federal regulation as adopted by reference in K.A.R. 28-31-1. (Authorized by and implementing K.S.A. 2001 Supp. 65-3431; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, Feb. 10, 1983; amended May 1, 1984; amended, T-85-42, Dec. 19, 1984; amended May 1, 1985; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Feb. 5, 1990; amended April 25, 1994; amended June 4, 1999; amended Sept. 20, 2002.)

28-31-4. Standards for generators of hazardous waste. (a) Scope and applicability. Each generator of hazardous waste and each person who imports hazardous waste into Kansas shall comply with this regulation. In addition, each owner or operator of a treatment, storage, or disposal facility who initiates a shipment of hazardous waste shall comply with this regulation.

(b) Hazardous waste determination. Each person who generates solid waste, as defined by 40 CFR 261.2, shall determine if that waste is a hazardous waste using all of the following methods.

(1) Each person shall first determine if the waste is excluded from regulation under 40 CFR 261.4.

(2) If the waste is not excluded under paragraph (b)(1), the person shall next determine if the waste is listed as a hazardous waste in 40 CFR Part 261, subpart D.

(3) If the waste is not listed as a hazardous waste in 40 CFR Part 261, subpart D, the person shall determine whether or not the waste is identified in 40 CFR Part 261, subpart C, by one of the following means:

(A) Submitting the waste for testing according to the methods in 40 CFR Part 261, subpart C, by a laboratory that is certified for these analyses by the department; or

(B) applying knowledge of the hazardous characteristics of the waste in light of materials or processes used.

(4) If the waste is determined to be hazardous, the generator shall refer to 40 CFR Parts 261, 262, 264, 265, 266, 268, and 273 for possible exclusions or restrictions pertaining to management of each specific waste.

(c) EPA identification numbers.

(1) Each Kansas or EPA generator shall apply for and obtain an EPA identification number from the secretary before treating, storing, disposing, transporting, or offering for transportation any hazardous waste. Each generator who has not received an EPA identification number shall apply to the secretary using a form supplied by the department. If there is a change in the information originally submitted to obtain an EPA identification number, the generator shall update that information. The generator shall submit these changes to the secretary on KDHE form 8700-12.

(2) Each Kansas or EPA generator shall offer hazardous waste only to transporters or to treatment, storage, or disposal facilities that have an EPA identification number.

(d) Manifest requirements.

(1) General requirements. Each Kansas or EPA generator who transports hazardous waste or offers hazardous waste for transportation for off-site treatment, storage, or disposal shall prepare and use a manifest with the OMB control number 2050-0039 that complies with EPA form 8700-22 and, if necessary, form 8700-22A, according to the instructions included in the appendix to 40 CFR Part 262. The generator shall comply with all of the following requirements.

(A) Each generator shall designate on the manifest one facility permitted to handle the waste described on the manifest.

(B) Any generator may also designate on the manifest one alternate facility permitted to handle the waste if an emergency prevents delivery of the waste to the primary designated facility.

(C) If the transporter is unable to deliver the hazardous waste to the designated facility or the alternate facility, the generator shall either designate another facility or instruct the transporter to return the waste.

(2) Acquisition of manifests. If the shipment is to be transported to a state requiring use of that state's manifest, then the generator shall use the manifest of the consignment state. If the consignment state does not supply the manifest, then the generator may obtain the manifest from any source.

(3) Number of copies. At a minimum, the manifest shall have sufficient copies to provide the generator, each transporter, and the owner or operator of the designated facility with one copy each for the records and another copy to be returned to the generator.

(4) Use of the manifest. The generator shall perform all of the following:

(A) Sign the manifest certification by hand;

(B) obtain the handwritten signature of the initial transporter and the date of acceptance on the manifest;

(C) retain one copy for the generator's records; and

(D) give the transporter the remaining copies of the manifest.

(5) Water shipments. When bulk shipments of hazardous waste are transported within the United States solely by water, the generator shall send three copies of the manifest, dated and signed in accordance with this subsection, to the owner or operator of the designated facility or the last bulk water transporter to handle the waste in the United States if exported by water. Copies of the manifest shall not be required for any transporter.

(6) Rail shipments. When rail shipments of hazardous waste within the United States originate at the site of generation, the generator shall send at least three copies of the manifest, dated and signed in accordance with this subsection, to one of the following:

(A) The next nonrail transporter, if any;

(B) the designated facility, if transported solely by rail; or

(C) the last rail transporter to handle the waste in the United States, if exported by rail.

(7) Manifest exemption. The requirements of this subsection shall not apply to Kansas generators when the waste is reclaimed under a contractual agreement that meets all of the following requirements:

(A) The type of waste and frequency of shipments are specified in the agreement.

(B) The vehicle used to transport the waste to the recycling facility and to deliver regenerated material back to the generator is owned and operated by the reclaimer of the waste.

(C) The generator maintains a copy of the reclamation agreement for at least three years after termination or expiration of the agreement.

(e) Pretransport requirements.

(1) Packaging. Before transporting hazardous waste or offering hazardous waste for transportation off-site, each Kansas or EPA generator shall package the waste in accordance with 49 CFR Parts 173, 178, and 179.

(2) Labeling. Before transporting or offering hazardous waste for transportation off-site, each Kansas or EPA generator shall label each package in accordance with 49 CFR Part 172.

(3) Marking.

(A) Before transporting or offering hazardous waste for transportation off-site, each Kansas or EPA generator shall mark each package of hazardous waste in accordance with 49 CFR Part 172.

(B) Before transporting hazardous waste or offering hazardous waste for transportation off-site, each Kansas or EPA generator shall mark each container of 110 gallons

(continued)

or less used in transportation in accordance with the requirements of 40 CFR 262.32(b).

The required statement and information shall be displayed in accordance with the requirements of 49 CFR 172.304.

(4) Placarding. Before transporting hazardous waste or offering hazardous waste for transportation off-site, each Kansas or EPA generator shall placard or offer the initial transporter the appropriate placards according to 49 CFR Part 172, subpart F.

(f) Recordkeeping and reporting.

(1) Recordkeeping.

(A) Each Kansas or EPA generator shall keep a copy of each signed manifest. This signed copy shall be retained as a record for at least three years from the date the waste was accepted by the initial transporter or until receipt of a copy signed by a representative of the designated facility that received the waste. The copy signed by the designated facility shall be retained as a record for at least three years from the date on which the waste was accepted by the initial transporter.

(B) Each Kansas or EPA generator shall keep a copy of each exception report required by paragraph (4) of this subsection, and each EPA generator shall keep a copy of each biennial report required by paragraph (2) of this subsection. Each Kansas or EPA generator shall keep these reports for a period of at least three years from the due date of the reports.

(C) Each Kansas or EPA generator shall keep records of all test results, waste analyses, and other determinations for at least three years from the date that the waste was last sent for on-site or off-site treatment, storage, or disposal.

(D) The periods for retention referred to in this regulation shall be extended automatically during the course of any unresolved enforcement action regarding the regulated activity or as requested by the secretary.

(2) Biennial report.

(A) Each EPA generator shall prepare and submit a single copy of a biennial report to the secretary by March 1 of each even-numbered year. The EPA generator shall submit the biennial report on a form provided by the department and shall cover generator activities during the previous calendar year or years. The biennial report shall include the following information:

(i) The EPA identification number, name, and address of the generator;

(ii) the calendar year or years covered by the report;

(iii) the EPA identification number, name, and address for each off-site treatment, storage, or disposal facility to which waste was shipped. For exported shipments, the report shall give the name and address of the foreign facility;

(iv) the name and EPA identification number of each transporter used;

(v) a description of the waste and the EPA hazardous waste number, DOT hazard class, and quantity of each hazardous waste shipped off-site. This information shall be listed by EPA identification number of each off-site treatment, storage, or disposal facility to which waste was shipped;

(vi) a description of the efforts undertaken to reduce the volume and toxicity of waste generated;

(vii) a description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years to the extent that this information is available; and

(viii) the certification signed by the generator or authorized representative.

(B) Each generator who treats, stores, or disposes of hazardous waste on-site shall submit a biennial report covering those wastes in accordance with the provisions of 40 CFR Parts 270, 264, 265, and 266.

(3) Annual monitoring fee reports. Each EPA generator shall prepare and submit a report to the secretary by March 1 of each year that details the total quantities of hazardous waste produced during the previous calendar year. The generator shall pay and submit the monitoring fee required by K.A.R. 28-31-10(g) with the report.

(4) Exception reporting.

(A) Each Kansas or EPA generator who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 35 days of the date on which the waste was accepted by the initial transporter, shall contact the transporter, the owner or operator of the designated facility, or both, to determine the status of the hazardous waste.

(B) Each Kansas or EPA generator who has not received a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 45 days of the date on which the waste was accepted by the initial transporter shall submit an exception report to the secretary. The exception report shall include both of the following:

(i) A legible copy of the manifest for which the generator does not have confirmation of delivery; and

(ii) a cover letter signed by the generator or authorized representative explaining the efforts taken to locate the hazardous waste and the results of those efforts.

(5) Additional reporting. At any time, a generator may be required by the secretary to furnish additional reports concerning the quantities and disposition of hazardous wastes.

(g) Accumulation time for EPA generators. Any EPA generator may accumulate hazardous waste on-site for 90 days or less without a permit and without obtaining interim status, and shall be exempt from all the requirements in 40 CFR Part 265, subparts G and H, except for 265.111 and 265.114, if all of the following conditions are met:

(1) The waste is handled using one or more of the following methods:

(A) Placed in containers and the generator complies with 40 CFR Part 265, subparts I, AA, BB, and CC;

(B) placed in tanks and the generator complies with 40 CFR Part 265, subparts J, AA, BB, and CC, except sections 265.197(c) and 265.200;

(C) collected on drip pads and the generator complies with 40 CFR 262.34(a) (1) (iii); or

(D) placed in containment buildings and the generator complies with 40 CFR 262.34(a)(1)(iv).

(2) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container and tank.

(3) While being accumulated on-site, each container and tank is labeled or marked clearly with the words, "Hazardous Waste."

(4) The generator complies with the requirements in 40 CFR Part 265, subparts C and D, with 265.16, and, if conducting treatment, with 268.7(a) (5).

(h) Hazardous waste accumulation by Kansas generators.

Any Kansas generator may accumulate hazardous waste on-site without a permit, interim status, or time restrictions, and shall be exempt from all the requirements in 40 CFR Part 265, subparts G and H, except for 265.111 and 265.114, if all of the following conditions are met:

(1) The quantity of waste accumulated never exceeds 1,000 kilograms of hazardous waste or 1 kilogram of acutely hazardous waste. If at any time more than these quantities are accumulated, all of those accumulated wastes shall be subject to regulations that are applicable to EPA generators.

(2) The waste is handled using one or more of the following methods:

(A) Placed in containers and the generator complies with 40 CFR Part 265 subpart I, except 265.176 and 265.178; or

(B) placed in tanks and the generator complies with the requirements of 265.201, except 265.201(a), in 40 CFR Part 265, subpart J.

(3) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container and tank.

(4) While being accumulated on-site, each container and tank is labeled or clearly marked with the words "Hazardous Waste."

(5) The generator complies with the requirements of 40 CFR Part 265, subpart C, and 40 CFR 268.7(a)(5).

(6) At least one employee who is designated as the emergency coordinator is either on the premises or on call at all times with the responsibility for coordinating all emergency response measures specified in this subsection. For the purposes of this regulation, "on call" means that the emergency coordinator is available to respond to an emergency by reaching the facility within a short period of time.

(7) All of the following information is posted next to at least one telephone that is accessible, with little or no delay, by employees during an emergency:

(A) The name and telephone number of the emergency coordinator;

(B) the location of fire extinguishers and spill-control material, and if present, fire alarms; and

(C) the telephone number of the fire department unless the facility has a direct alarm.

(8) Each employee is thoroughly familiar with proper waste handling and emergency procedures that are relevant to the employee's responsibilities during normal facility operations and emergencies.

(9) The emergency coordinator or designee is prepared to respond to any emergencies that arise. The appropriate responses shall be the following:

(A) In the event of a fire, the emergency coordinator or designee shall call the fire department or attempt to extinguish the fire using a fire extinguisher.

(B) In the event of a spill, the emergency coordinator or designee shall contain the flow of hazardous waste to the extent possible and, as soon as is practicable, clean up the hazardous waste and any contaminated materials or soil.

(C) In the event of a fire, explosion, or other release that could threaten human health outside the facility, or when it appears that a spill has reached surface water, the emergency coordinator shall immediately notify the national response center using the 24-hour toll-free number 800-424-8802.

All reports to the national response center shall contain the following information:

(i) The name, address, and U.S. EPA identification number of the generator;

(ii) the date, time, and type of incident;

(iii) the quantity and type of hazardous waste involved in the incident;

(iv) the extent of any injuries; and

(v) the estimated quantity and disposition of recovered materials, if any.

(i) Extension of accumulation time. Each EPA generator who accumulates hazardous waste for more than 90 days shall be considered an operator of a storage facility and shall be subject to the requirements of 40 CFR Parts 124, 264, 265, and 270, unless granted an extension to the 90-day period. This extension may be granted if hazardous wastes need to remain on-site for longer than 90 days due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted by the secretary upon written request by the EPA generator. Additional extensions not to exceed 30 days may be granted if the circumstances continue to be valid.

(j) Satellite accumulation areas.

(1) Any Kansas or EPA generator may accumulate as many as 55 gallons of each type of hazardous waste or one quart of acutely hazardous waste in no more than one container at or near any point of generation where wastes initially accumulate, and that is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with subsections (g) and (h), if the generator performs both of the following:

(A) Complies with 40 CFR 265.171, 265.172, and 265.173(a); and

(B) marks the containers with the words "Hazardous Waste."

(2) At the time the generator accumulates more than the amounts listed in this subsection at any satellite accumulation area, the date shall be placed on the full container. This date shall become the accumulation start date for this container, and the generator shall move the full container to the hazardous waste storage area within three days. The empty container in which waste is accumulated at the satellite area shall be managed in accordance with paragraph (1) of this subsection.

(k) Inspection requirement. Each Kansas or EPA generator shall document weekly inspections of hazardous waste storage areas and daily inspections of tanks in accordance with 40 CFR 265.15(d) and 40 CFR 265.195.

(continued)

(l) Transportation restrictions. Each Kansas or EPA generator shipping hazardous waste or offering hazardous waste for transport shall use only a transporter who has properly registered with the department according to K.A.R. 28-31-6.

(m) Small quantity generator requirements. Small quantity generators shall be subject to the following requirements:

(1) If at any time more than a total of 1,000 kilograms of hazardous waste or one kilogram of acutely hazardous waste is accumulated, all of those accumulated wastes shall be subject to regulations applicable to EPA generators. Upon exceeding 1,000 kilograms of hazardous waste or one kilogram of acutely hazardous waste, all requirements of subsection (g) of this regulation shall apply to the generator.

(2) Each small quantity generator who accumulates 25 kilograms or more of hazardous waste shall either recycle, treat, or dispose of the waste in an acceptable on-site facility, or ensure delivery to an off-site hazardous waste treatment, storage, or disposal facility, or to some other waste management facility approved by the secretary, and shall be subject to the following requirements:

(A) The pretransport requirements of subsection (e) of this regulation;

(B) the dating and marking requirements for containers and tanks in paragraphs (h)(2), (3), and (4) of this regulation; and

(C) the inspection requirements of subsection (k) of this regulation.

(3) Each small quantity generator who accumulates up to 25 kilograms of hazardous waste may either treat or dispose of hazardous waste in an acceptable on-site facility, or ensure delivery to an off-site storage, treatment, or disposal facility. In either case, the facility shall meet at least one of the following requirements:

(A) Be permitted to manage hazardous waste;

(B) be operating under interim status;

(C) be permitted to manage municipal solid waste; or

(D) beneficially treat, use or reuse, or legitimately recycle or reclaim its waste.

(n) Acutely hazardous waste requirements.

(1) All quantities of acutely hazardous waste shall be subject to this regulation and other regulations in article 31 applicable to EPA generators regarding transportation, treatment, storage, and disposal of hazardous waste if generated in one of the following quantities:

(A) A total, in any single calendar month, of one kilogram or more of acutely hazardous waste; or

(B) a total, in any single calendar month, of 25 kilograms or more of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acutely hazardous waste.

(2) If at any time acutely hazardous waste is accumulated in quantities described in paragraph (n)(1), all of those accumulated wastes shall be subject to the requirements of this regulation and other regulations in article 31 applicable to EPA generators regarding transportation, treatment, storage, and disposal of hazardous waste. Upon meeting these quantities, all requirements of subsection (g) shall apply to the generator.

(o) Quantity determinations.

(1) In determining the quantity of hazardous waste generated each calendar month, a generator shall not include either of the following:

(A) Hazardous waste when it is removed from on-site storage; or

(B) hazardous waste produced by on-site treatment including reclamation of hazardous waste, if the hazardous waste that is treated or reclaimed is counted each time before treatment or reclamation.

(2) Hazardous waste that is subject to the requirements of 40 CFR 261.6(b) and (c) and 40 CFR Part 266, subparts C and F, shall be included in the quantity determination and shall be subject to the requirements of this regulation.

(p) Mixtures of hazardous waste.

(1) Whenever two or more hazardous wastes are mixed together, the resulting mixture shall be regulated as follows:

(A) If a listed hazardous waste as defined by 40 CFR Part 261, subpart D is mixed with other listed hazardous waste, the resulting mixture shall be identified for purposes of generation, transportation, storage, treatment, and disposal by all listed hazardous waste numbers contained in the mixture.

(B) If a characteristic hazardous waste as defined by 40 CFR Part 261, subpart C, is mixed with other characteristic hazardous waste, the resulting mixture shall be identified for purposes of generation, transportation, storage, treatment, and disposal by all characteristic hazardous waste numbers contained in the mixture.

(i) Any person may demonstrate that mixing two different characteristic hazardous wastes is a satisfactory treatment method that results in the mixture no longer exhibiting any characteristic of hazardous waste.

(ii) Upon submittal of an acceptable demonstration, written approval indicating that the resulting mixture is not regulated as hazardous waste may be granted by the secretary.

(C) If a listed hazardous waste as defined by 40 CFR Part 261, subpart D is mixed with characteristic hazardous waste as defined by 40 CFR Part 261, subpart C, the resulting mixture shall be identified for purposes of generation, transportation, storage, treatment, and disposal by all listed and characteristic hazardous waste numbers contained in the mixture.

(2) Whenever hazardous waste is mixed with solid waste or nonhazardous material, other than used oil, the resulting mixture shall be regulated as follows:

(A) For characteristic hazardous waste as defined by 40 CFR Part 261, subpart C, the resulting mixture shall remain regulated as a characteristic hazardous waste.

(i) Any person may demonstrate that mixing characteristic hazardous waste with solid waste or nonhazardous materials is a satisfactory treatment method that results in the mixture no longer exhibiting any characteristic of hazardous waste.

(ii) Upon submittal of an acceptable demonstration, written approval indicating that the resulting mixture is not regulated as hazardous waste may be granted by the secretary.

(B) For listed hazardous waste, as defined by 40 CFR Part 261, subpart D, the resulting mixture shall remain regulated as a listed hazardous waste unless it is listed

solely because it exhibits one or more characteristics of hazardous waste identified in 40 CFR Part 261, subpart C and the resulting mixture no longer exhibits these characteristics.

(3) Hazardous waste that is mixed with used oil shall be regulated as follows:

(A) If hazardous waste from a small quantity generator is mixed with used oil, the resulting mixture shall be subject to regulation as used oil under K.A.R. 28-31-16.

(B) If a Kansas or EPA generator mixes a characteristic or listed hazardous waste with used oil, the resulting mixture shall remain identified as a characteristic or listed hazardous waste.

(4) Small quantity generators may mix their hazardous waste with nonhazardous waste or other material and shall remain subject to the requirements of subsection (m) even though the resultant mixture exceeds the quantity limitations of subsection (m), unless the mixture meets any of the characteristics of hazardous waste identified in 40 CFR Part 261.

(q) Exports of hazardous waste. Exporters of hazardous waste shall be subject to the requirements of 40 CFR Part 262, subpart E.

(r) Imports of hazardous waste. Importers of hazardous waste shall be subject to the requirements of 40 CFR Part 262, subpart F.

(s) Farmers. Farmers disposing of pesticide shall be subject to the requirements of 40 CFR 262, subpart G.

In this regulation, each reference to a federal regulation shall be deemed to refer to that federal regulation as adopted by reference in K.A.R. 28-31-1. (Authorized by and implementing K.S.A. 2001 Supp. 65-3431; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, Feb. 10, 1983; amended May 1, 1984; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Feb. 5, 1990; amended April 25, 1994; amended March 22, 1996; amended June 4, 1999; amended Sept. 20, 2002.)

28-31-6. Standards for transporters of hazardous waste and used oil. Subsections (a) through (f) of this regulation shall apply to each person that transports at any time more than 25 kilograms of hazardous waste or more than one kilogram of acutely hazardous waste, except small quantity generators transporting to a Kansas household hazardous waste facility that has a permit, issued by the secretary, to handle small quantity generator waste. Subsections (b) through (d) of this regulation shall apply to each person that is subject to the requirements for used oil transporters of 40 CFR 279.40 and 279.42.

(a) General requirements. Transporters of hazardous waste shall comply with the requirements of 40 CFR Part 263, except 263.10(a) and 263.20(h).

(b) Registration. Each person transporting hazardous waste or used oil within, into, out of, or through Kansas shall register with the secretary.

(1) The transporter shall submit the registration application on forms provided by the department.

(2) The transporter shall obtain written acknowledgment from the secretary that registration is complete before transporting hazardous waste or used oil within, into, out of, or through Kansas.

(3) The transporter shall carry a copy of the written acknowledgment in all vehicles transporting hazardous waste or used oil and shall provide the written acknowledgment for review upon request.

(c) Insurance requirements. Each transporter shall secure and maintain liability insurance on all vehicles transporting hazardous waste or used oil in Kansas.

(1) The limits of insurance shall not be less than \$1 million per person and \$1 million per occurrence for bodily injury or death and \$1 million for all damage to the property of others. When combined bodily injury or death and property damage coverage are provided, the total limits shall not be less than \$1 million.

(2) If any coverage is reduced or canceled, the transporter shall notify the secretary in writing at least 35 days before the effective date of that action.

(3) The transporter shall, before the expiration date of the policy, provide the secretary with proof of periodic renewal in the form of a certificate of insurance showing the monetary coverage and the expiration date.

(d) Denial, suspension, or revocation of registration. Any application may be denied and any transporter's registration may be revoked or suspended by written notice if the secretary determines that one or more of the following apply:

(1) The transporter failed or continues to fail to comply with any of the provisions of the air, water, or waste statutes relating to environmental protection or to the protection of public health, including regulations issued thereunder in this or any other state or by the federal government, or any condition of any permit or license issued by the secretary.

(2) The transporter has shown a lack of ability or intention to comply with one or more provisions of any law referred to in this subsection, or any regulation or order or permit issued pursuant to any such law, as indicated by past or continuing violations.

(3) One or more of the following is a principal of another corporation that would not be eligible for registration:

(A) The transporter;

(B) a person who holds an interest in the transporter;

(C) a person who exercises total or partial control of the transporter; or

(D) a person who is a principal of the parent corporation.

(e) Exemption from the manifesting requirement. Each transporter transporting hazardous waste from a Kansas generator shall be exempt from the requirements of 40 CFR Part 263, subpart B, if all the following conditions are met:

(1) The waste is transported pursuant to a reclamation agreement as provided for in K.A.R. 28-31-4(d)(7).

(2) The transporter records, on a log or shipping paper, the following information for each shipment:

(A) The name, address, and EPA identification number of the generator of the waste;

(B) the quantity of the waste accepted;

(C) all shipping information required by the U.S. department of transportation; and

(D) the date the waste is accepted.

(continued)

(3) The transporter carries this record when transporting the waste to the reclamation facility.

(4) The transporter retains these records for a period of at least three years after termination or expiration of the agreement.

(f) Transportation restrictions. Each transporter shall collect or transport hazardous waste only for generators or treatment, storage, or disposal facilities that have provided proper notification in accordance with K.A.R. 28-31-4(c) and 40 CFR 264.11 and 265.11.

In this regulation, each reference to a federal regulation shall be deemed to refer to that federal regulation as adopted by reference in K.A.R. 28-31-1. (Authorized by and implementing K.S.A. 2001 Supp. 65-3431; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, Feb. 10, 1983; amended May 1, 1984; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Feb. 5, 1990; amended April 25, 1994; amended June 4, 1999; amended Sept. 20, 2002.)

28-31-8. Standards for hazardous waste storage, treatment, and disposal facilities. (a) General requirements. Each owner or operator of a facility that stores, treats, or disposes of hazardous waste shall comply with the requirements of 40 CFR Parts 264 and 265.

(b) Marking requirements. Each operator of a hazardous waste container or tank storage facility shall mark all containers and tanks in accordance with the standards of K.A.R. 28-31-4(g)(2) and (3).

(c) Notice in deed to property. Each owner of property on which a hazardous waste treatment, storage, or disposal facility is located shall record, in accordance with Kansas law, a notice with the county register of deeds where the property is located that the land has been used to manage hazardous waste and that all records regarding permits, closure, or both are available for review at the department.

(d) Restrictive covenants and easements.

(1) Each owner of property on which a hazardous waste treatment, storage, or disposal facility is located may be required by the secretary to execute and file with the county register of deeds a restrictive covenant to run with the land that shall specify the uses that may be made after closure and require all of the following:

(A) All future uses of the property after closure shall be conducted in a manner that preserves the integrity of waste containment systems designed, installed, and used during operation of the disposal areas, or installed or used during the postclosure maintenance period.

(B) The owner or tenant and the subsequent owners or tenants shall preserve and protect all permanent survey markers and benchmarks installed at the facility.

(C) The owner or tenant and the subsequent owners or tenants shall preserve and protect all environmental monitoring stations installed at the facility.

(D) The owner or tenant, subsequent property owners or tenants, and any person granted easement to the property shall provide written notice to the secretary during the planning of any improvement to the site and shall receive approval from the secretary before commencing any of the following:

(i) Excavation or construction of permanent structures or drainage ditches;

(ii) alteration of contours;

(iii) removal of waste materials stored on the site;

(iv) changes in vegetation grown on areas used for waste disposal;

(v) the production or sale of food chain crops grown on land used for waste disposal; or

(vi) removal of security fencing, signs, or other devices installed to restrict public access to waste storage or disposal areas.

(2) The owner of the property on which a hazardous waste treatment, storage, and disposal facility is or has been located may be required by the secretary to execute an easement stating that the department, its duly authorized agents, or contractors employed by or on behalf of the department may enter the premises to accomplish any of the following:

(A) Complete items of work specified in a site closure plan required to be submitted by the federal regulations referenced in subsection (a) of this regulation;

(B) perform any item of work necessary to maintain or monitor the area during the postclosure period; or

(C) sample, repair, or reconstruct environmental monitoring stations constructed as part of the site operating or postclosure requirements.

(3) Each offer or contract for the conveyance of easement, title, or other interest to real estate used for treatment, storage, or disposal of hazardous waste shall disclose all terms, conditions, and provisions for care and subsequent land uses that are imposed by these regulations or the site permit authorized and issued under K.S.A. Supp. 65-3431, and amendments thereto. Conveyance of title, easement, or other interest in the property shall contain provisions for the continued maintenance of waste containment and monitoring systems.

(4) All covenants, easements, and other documents related to this regulation shall be permanent, unless extinguished by agreement between the property owner and the secretary. Recording fees shall be paid by the owner of the property.

(e) Hazardous waste injection wells.

(1) Each hazardous waste injection well shall be designed, constructed, and operated to comply with applicable requirements of article 46 of these regulations.

(2) Wastes received from multiple generators by a hazardous waste facility, even if treated at the hazardous waste facility before injection, shall be batch-tested and the chemical composition confirmed by laboratory analyses before injection.

(A) Laboratory analysis of the composition of homogeneous and continuously generated injection fluids generated and disposed at a single site may be allowed on a monthly basis.

(B) The results of the laboratory analysis shall be the basis upon which the secretary determines whether or not injection of the fluids may occur.

(3) Monitoring shall be required for each constituent that was approved for injection. Monitoring of specified indicator constituents rather than the approved list of constituents may be allowed by the secretary, and mon-

itoring of other constituents may be required as deemed necessary.

(f) Environmental monitoring. All samples analyzed in accordance with 40 CFR Parts 264 and 265, subparts F and G shall be conducted by a laboratory certified for these analyses by the secretary, except that analyses of time-sensitive parameters, including pH, temperature, and specific conductivity, shall be conducted at the time of sampling if possible.

(g) For hazardous waste received at a treatment, storage, or disposal facility with the intent of burning for destruction or energy recovery, all quantification analyses performed for the purpose of complying with permit conditions shall be performed by a laboratory certified for these analyses by the secretary.

In this regulation, each reference to a federal regulation shall be deemed to refer to that federal regulation as adopted by reference in K.A.R. 28-31-1. (Authorized by and implementing K.S.A. 2001 Supp. 65-3431; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, Feb. 10, 1983; amended May 1, 1984; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Feb. 5, 1990; amended April 25, 1994; amended June 4, 1999; amended Sept. 20, 2002.)

28-31-8b. Standards for the management of specific hazardous wastes and specific types of hazardous waste management facilities. Each person managing any of the specific hazardous wastes or operating any of the specific types of hazardous waste management facilities listed below shall comply with the requirements of 40 CFR Part 266:

(a) Recyclable materials used in a manner constituting disposal;

(b) recyclable materials utilized for precious metal recovery;

(c) spent lead-acid batteries being reclaimed;

(d) hazardous waste burned in boilers and industrial furnaces; and

(e) military munitions.

In this regulation, each reference to a federal regulation shall be deemed to refer to that federal regulation as adopted by reference in K.A.R. 28-31-1. (Authorized by and implementing K.S.A. 2001 Supp. 65-3431; effective Feb. 5, 1990; amended April 25, 1994; amended June 4, 1999; amended Sept. 20, 2002.)

28-31-9. Hazardous waste storage, treatment, and disposal facility permits. (a) General requirements. Hazardous waste storage, treatment, and disposal facility permits shall be subject to the requirements of 40 CFR Part 270, except subpart H, and the requirements of 40 CFR Part 124, subparts A and B.

(b) Background investigation. Before submitting any application for a hazardous waste facility permit, the applicant shall submit a disclosure statement on forms provided by the department. The disclosure statement shall include the following information:

- (1) The name of the corporation;
- (2) past corporate names;
- (3) the place or places of incorporation;
- (4) the names of officers;

(5) the names of former officers and directors;

(6) partnership or joint venture information;

(7) ownership and debt liability;

(8) subsidiaries and stock holdings;

(9) financial history;

(10) employee data;

(11) experience and credentials;

(12) licenses and permits;

(13) environmental violations history;

(14) environmental judgments and litigation; and

(15) criminal proceedings involving the applicant or the corporation.

In this regulation, each reference to a federal regulation shall be deemed to refer to that federal regulation as adopted by reference in K.A.R. 28-31-1. (Authorized by and implementing K.S.A. 2001 Supp. 65-3431; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, Feb. 10, 1983; amended May 1, 1984; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Feb. 5, 1990; amended April 25, 1994; amended June 4, 1999; amended Sept. 20, 2002.)

28-31-10. Hazardous waste monitoring fees. (a) Hazardous waste storage facility. Each hazardous waste storage facility shall pay to the secretary an annual monitoring fee before January 1 of each year. This fee shall be based on the following schedule:

- | | |
|-------------------------------|---------|
| (1) On-site storage facility | \$2,500 |
| (2) Off-site storage facility | \$3,500 |

(b) Hazardous waste treatment facility. Each hazardous waste treatment facility shall pay to the secretary an annual monitoring fee before January 1 of each year. This fee shall be based on the following schedule:

- | | |
|-----------------------------------|----------|
| (1) On-site treatment facility | \$ 4,000 |
| (2) Off-site treatment facility | \$ 5,000 |
| (3) Off-site incinerator facility | \$10,000 |

(c) Hazardous waste disposal facility. Each hazardous waste disposal facility shall pay to the secretary an annual monitoring fee before January 1 of each year. This fee shall be based on the following schedule:

- | | |
|---|----------|
| (1) On-site landfill or underground injection well | \$10,000 |
| (2) Off-site landfill or underground injection well | \$15,000 |

(d) Facilities subject to postclosure care. Each hazardous waste storage, treatment, or disposal facility subject to postclosure care shall pay an annual fee. This fee shall become applicable upon receipt by the secretary of the certification of closure specified in 40 CFR 264.115 or 40 CFR 265.115. This fee shall be paid to the secretary before January 1 of each year. This fee shall be based on the following schedule:

- | | |
|--|---------|
| Facilities subject to postclosure care | \$4,000 |
|--|---------|

(e) Multiple activities. Each facility conducting more than one of the hazardous waste activities addressed in subsections (a), (b), (c), and (d) of this regulation shall pay a single fee. This fee shall be in the amount specified for

(continued)

the activity having the highest fee of those conducted. Each facility that is subject to postclosure care and has no remaining active storage, treatment, or disposal units shall be subject only to the monitoring fee specified in subsection (d).

(f) Hazardous waste transporters. Each hazardous waste transporter shall pay an annual monitoring fee. The hazardous waste transporter shall pay this fee at the time the transporter registers with the department in accordance with K.A.R. 28-31-6(b), and before January 1 of each year thereafter. This fee shall be based on the following schedule:

Transporter	\$300
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(g) Hazardous waste generators.

(1) Before March 1 of each year, each EPA generator shall pay to the secretary an annual monitoring fee for all hazardous waste generated during the previous calendar year. This fee shall be based on the following schedule:

Total Yearly Quantity Generated	Monitoring Fee
Less than or equal to 5 tons	\$ 100
Greater than 5 tons but less than or equal to 50 tons	\$ 500
Greater than 50 tons but less than or equal to 500 tons....	\$1,000
Greater than 500 tons	\$5,000

(2) Hazardous waste that is reclaimed by an EPA generator on-site to recover substantial amounts of energy or materials shall be exempt from payment of monitoring fees. This exemption shall not apply to hazardous waste residues produced during reclamation.

(3) Before April 1 of each year, starting in 2003, each Kansas generator shall pay to the department an annual monitoring fee of \$100.

In this regulation, each reference to a federal regulation shall be deemed to refer to that federal regulation as adopted by reference in K.A.R. 28-31-1. (Authorized by and implementing K.S.A. 2001 Supp. 65-3431; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-85-2, Jan. 13, 1984; amended May 1, 1984; amended, T-85-42, Dec. 19, 1984; amended May 1, 1985; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended, T-87-49, Dec. 19, 1986; amended May 1, 1987; amended May 1, 1988; amended April 25, 1994; amended March 22, 1996; amended June 4, 1999; amended Sept. 20, 2002.)

28-31-10a. Off-site hazardous waste treatment fees. (a) Each off-site hazardous waste treatment facility shall pay fees proportionate to the quantity of hazardous waste treated, subject to the caps set forth in K.S.A. 65-3431, and amendments thereto. These fees shall be based upon the following schedule:

Hazardous Waste Category	Fee
Dioxin	\$20 per ton
Fewer than 5,000 British Thermal Units (BTUs) per pound	\$10 per ton
Equal to or greater than 5,000 BTUs per pound	\$2 per ton

For the purpose of calculating these fees, "dioxin" shall mean hazardous wastes carrying EPA hazardous waste numbers F020, F021, F022, F023, F026, F027, or F028, or any combination of these hazardous waste numbers. "Ton" shall mean 2,000 pounds.

(b) Payment of the treatment fees assessed under subsection (a) of this regulation shall be made quarterly. The quarterly fee shall be paid on or before the last day of April, July, October, and January for the preceding three-month period ending the last day of March, June, September, and December.

(c) Each treatment fee payment shall meet these requirements:

(1) Be made by check or money order made payable to the "Kansas department of health and environment—attention: hazardous waste management fund"; and

(2) be accompanied by a form, furnished by the department and completed by the facility operator. The form shall state the total weight of hazardous wastes treated during the reporting period and shall provide sufficient information to verify findings that a treatment process qualified as material or energy recovery. (Authorized by and implementing K.S.A. 2001 Supp. 65-3431; effective April 6, 1992; amended July 7, 1997; amended Sept. 20, 2002.)

28-31-11. (Authorized by and implementing K.S.A. 65-3431; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-85-42, Dec. 19, 1984; amended May 1, 1985; amended April 25, 1994; revoked Sept. 20, 2002.)

28-31-14. Land disposal restrictions. Land disposal of hazardous waste shall be subject to the requirements of 40 CFR Part 268, as adopted by reference in K.A.R. 28-31-1. (Authorized by and implementing K.S.A. 2001 Supp. 65-3431; effective May 1, 1988; amended Feb. 5, 1990; amended April 25, 1994; amended June 4, 1999; amended Sept. 20, 2002.)

28-31-15. Universal waste. Each owner or operator of a facility that manages universal waste shall comply with the requirements of 40 CFR Part 273, as adopted by reference in K.A.R. 28-31-1. (Authorized by and implementing K.S.A. 2001 Supp. 65-3431; effective June 4, 1999; amended Sept. 20, 2002.)

28-31-16. Used oil. Used oil shall be subject to the management standards specified in 40 CFR Part 279, except for 279.10(b)(3).

(b) Mixtures of used oil and hazardous waste generated by any small quantity generator shall be subject to regulation as used oil in accordance with K.A.R. 28-31-4(p)(3)(A).

(c) No person shall use used oil as a pesticide carrier, sealant, or coating, or for any other similar purpose.

(d) Each seller of more than 500 gallons per year of lubricating oil or other oil in containers for use off the premises shall post and maintain, near the point of sale, durable and legible signs informing the public of the importance of the collection and recycling of used oil. The signs shall indicate how and where used oil can be recycled and shall include locations and hours of operation of conveniently located collection facilities.

(e) The disposal of used oil by discharge into any sewers, storm drainage systems, or surface water or groundwater, or by deposit on or under land shall be prohibited.

In this regulation, each reference to a federal regulation shall be deemed to refer to that federal regulation as adopted by reference in K.A.R. 28-31-1. (Authorized by

and implementing K.S.A. 2001 Supp. 65-3431; effective June 4, 1999; amended Sept. 20, 2002.)

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 028369

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

111-2-140. DeDee's winner awareness "Starburst" promotion. (a) In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery shall also conduct a "Starburst" promotion to enhance winner awareness at all DeDee's corporate locations.

(b) The winner awareness sales promotion will commence at 5:00 a.m. on Tuesday, October 1, 2002, and end at the end of the business day as defined at K.A.R. 111-6-1 on Thursday, October 31, 2002.

(c) Beginning October 1, 2002, and concluding October 31, 2002, the lottery will conduct a "Starburst" promotion at all the DeDee's corporate stores located in Kansas. The stores must place a starburst decal on a visible wall or counter for every winning instant or on-line ticket that is redeemed at that retailer which wins \$10 or more. Each starburst placed should contain, where possible, the amount won, the ticket itself, and the name of the winner if written permission is obtained from the winner.

(d) For every 10 winning starbursts placed in a visible location at the retail establishment, the retailer will receive the lottery's choice of a promotional item, with a maximum of 10 items per store. For every 25 winning starbursts placed in a visible location at the retail establishment, that retailer will be entered into a drawing for a prize from the lottery. The grand prize is a \$300 credit on the retailer's lottery account. Second prize is a \$50 credit on the retailer's lottery account, and third prize is a \$25 credit on the retailer's lottery account. Each retail location is eligible to win only one of the three credit prizes.

(e) During the week preceding the start of the promotion, an information sheet will be provided for all participating retailers so that they may all start on the same day. Starbursts will be provided by the lottery. The drawings for the grand prize, second prize, and third prize will be conducted at the lottery's Great Bend regional office on November 8, 2002. Lottery security will approve drawing procedures to be used for the drawing. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-8-20-02, Aug. 14, 2002.)

Article 4.—INSTANT GAMES AND DRAWINGS

111-4-1448. Determination of "Country Stampede Drawing" winners. (a) At least five minutes before the drawing, the person designated by the executive director shall announce to the audience that the winner se-

lection process will begin. Any person wishing to enter the drawing who has not yet done so, shall immediately place his or her ticket(s) into the receptacle or drum at this time.

(b) Prior to closing the receptacle or drum prior to the drawing, the person designated by the executive director shall announce that entry into the "Country Stampede Drawing" is closed. No further entries will be accepted.

(c) The receptacle or drum shall be closed prior to the drawing. If a receptacle other than a drum is used, tickets in the receptacle shall be mixed with a shovel or by other means for no less than two minutes. If a drum is used, it shall be rotated a minimum of 10 times to ensure random selection.

(d) The executive director shall designate one individual of his choice to participate in the selection process.

(e) At approximately 8:00 p.m., the selection of "Country Stampede Drawing" winners shall be accomplished by the individual designated by the executive director, using a bare arm technique, who shall remove one ticket from the receptacle or drum while looking away from the receptacle or drum in which all entries were placed. A person representing the executive director and a person representing Kansas lottery security, shall review the selected ticket to determine if the name stated on the information form located on the back of the selected ticket is legible. If the name is determined to be legible, the name of the winner shall be announced to the audience. This process shall be repeated until 10 valid winners have been selected. Three additional entries shall be drawn which will serve as alternate entries in the event one or more of the original winners cannot be located or may be determined to be ineligible, and will be marked in the order drawn as 1A, 1B, and 1C. Alternate entries will be used, if necessary, in the order drawn.

(f) The named person is not required to be present in order to win the "Country Stampede Drawing" prizes described in K.A.R. 111-4-1446. The security representative conducting the drawing shall be responsible for the final determination concerning the legibility of the name on any ticket drawn, and validity of the entry, but regardless of the number of entries a person whose name appears on a valid entry drawn in the "Country Stampede Drawing" has made, he or she shall not be eligible to win more than one prize. The first prize winning ticket drawn for such an entrant invalidates all other entries for the "Country Stampede Drawing" for that entrant.

(g) A person whose valid ticket has been drawn from the receptacle or drum at each drawing shall be determined a "Country Stampede Drawing" winner.

(h) Each winner of a prize as a result of the drawing shall return to lottery headquarters a completed claim form as provided by the lottery no later than 5:00 p.m. on the forty-fifth day following the drawing or the person named on the ticket drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn pursuant to subsection (e) herein shall be declared the winner of that prize;

(i) If the name on any ticket drawn is not legible, the ticket drawn will be void and the selection process shall be repeated until a valid winning ticket is selected. (Au-

(continued)

thorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-5-99, April 23, 1999; amended, T-111-8-20-02, Aug. 14, 2002.)

111-4-1929. "Powerball Game Show" instant ticket lottery game number 229. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Powerball Game Show" commencing on or after July 1, 2002. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1929.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE TICKET	
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
15. ⁰⁰	FIFTEEN
20. ⁰⁰	TWENTY
25. ⁰⁰	TWEN-FIV
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$500\$	FIVEHUN
\$1000	ONETHOU
\$5000	FIVETHOU
\$25000	25-THOU
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRTN
14	FOURTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EIGHTN
19	NINTN
20	TWNTY
21	TWYONE
22	TWYTWO
23	TWYTHR
24	TWYFR
25	TWYFIV
26	TWYSIX
27	TWYSVN
28	TWYEGT
29	TWYNIN
30	THIRTY
31	THTONE
32	THTWO
33	THTHR
34	THTFOR
35	THTFIV
36	THTSIX

37	THTSEV
38	THTEGT
39	THTNIN
40	FORTY
41	FTYONE
42	FTYTWO
1X	1XTIMES
2X	2XTIMES
3X	3XTIMES
4X	4XTIMES
5X	5XTIMES

(c) For this game, a play symbol shall appear in each of 24 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 059.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWY	=	\$20.00
TWF	=	\$25.00
FTY	=	\$50.00
HUN	=	\$100.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$5.00 each.

(g) "Powerball Game Show" is a ticket with two different games featuring four distinct play areas. Game 1 is a number match and includes the play areas "POWERBALL NUMBERS," "POWERBALL PLAY" and "MULTIPLIER BALL." In the number match play area, a player matches any of the "YOUR NUMBERS" to any of the "POWERBALL NUMBERS." A player scratches the "POWERBALL PLAY" to reveal an additional number to match to any of the "YOUR NUMBERS." Based on the number of "YOUR NUMBERS" matched, the player wins a prize according to the prize matrix on the front of the ticket. The "MULTIPLIER" number allows a player to multiply any prize won in game 1 up to five times. A player can match up to five numbers in this play area. Only the highest prize in game 1 of each winning ticket will be awarded. Game 2 is a quick pick. If any of the "YOUR NUMBERS" in the "QUICK PICK" game are higher than the "QUICK PICK" number, the player wins the prize shown. A player can win up to five times on this play area. "YOUR NUMBERS" in game 1 may not be used in game 2, and "YOUR NUMBERS" in game 2 may not be used in game 1. The "MULTIPLIER BALL" may only be used in game 1.

(h) Each ticket in this game may win up to six times.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Powerball	Quick Pick	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket (1xM)	Free Ticket	Free Ticket	28,000	\$0
			28,000	0
\$5 (1xM)		\$5	28,000	140,000
	\$5	\$5	28,000	140,000
\$5 (2xM)		\$10	10,000	100,000
	\$10	\$10	10,000	100,000
	\$5x2	\$10	10,000	100,000
	\$15	\$15	4,800	72,000
\$5 (3xM)		\$15	4,800	72,000
\$5 (1xM)	\$2x5	\$15	4,800	72,000
\$5 (4xM)		\$20	2,000	40,000
	\$20	\$20	2,000	40,000
\$5 (1xM)	\$5x3	\$20	2,000	40,000
	\$5x4	\$20	1,200	24,000
\$5 (5xM)		\$25	1,200	30,000
	\$25	\$25	1,200	30,000
	\$5x5	\$25	1,200	30,000
\$50 (1xM)		\$50	600	30,000
	\$25x2	\$50	600	30,000
	\$10x5	\$50	600	30,000
\$50 (2xM)		\$100	480	48,000
	\$100	\$100	480	48,000
	\$50x2	\$100	462	46,200
\$50 (1xM)	\$100	\$150	150	22,500
\$50 (3xM)		\$150	150	22,500
\$500 (1xM)		\$500	30	15,000
	\$500	\$500	30	15,000
	\$100x5	\$500	30	15,000
\$5,000 (1xM)		\$5,000	2	10,000
	\$1,000x5	\$5,000	2	10,000
	\$5,000	\$5,000	2	10,000
\$5,000 (5xM)		\$25,000	1	25,000
	\$25,000	\$25,000	1	25,000
Television show prizes and trip expenses				281,442
TOTAL			170,820	\$1,713,642

1xM = one time multiplier ball
 2xM = two times multiplier ball
 3xM = three times multiplier ball
 4xM = four times multiplier ball
 5xM = five times multiplier ball

(k) The odds of winning a prize in this game are approximately one in 3.51. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-7-15-02, June 21, 2002; amended, T-111-8-20-02, Aug. 14, 2002.)

111-4-1933. "Lucky Holidays" instant ticket lottery game number 233. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Lucky Holidays" commencing on or after August 28, 2002. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1933.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols

FREE
 \$1.⁰⁰
 \$3.⁰⁰
 \$5.⁰⁰
 10.⁰⁰
 20.⁰⁰
 25.⁰⁰
 50.⁰⁰
 \$100\$
 \$500\$
 \$750\$

Play Symbol Captions

TICKET
 ONE\$
 THR\$
 FIVE\$
 TEN\$
 TWENTY
 TWEN-FIV
 FIFTY
 ONE-HUN
 FIVE-HUN
 SVHNFTY

\$1500
 Symbol of a Christmas tree
 GOOD LUCK
 MAYBE NEXT TIME

FIFTHUN
 DOUBLER

(c) For this game, a play symbol shall appear in each of seven play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
ONE	=	\$1.00
TFR	=	Two Free Tickets
TWO	=	\$2.00
THR	=	\$3.00
SIX	=	\$6.00
TEN	=	\$10.00
FTN	=	\$15.00
TWY	=	\$20.00
FRY	=	\$40.00
FTY	=	\$50.00
HUN	=	\$100.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Lucky Holidays" features two chances to win. Game 1 is a match three of six dollar amounts or match two dollar amounts plus a symbol of a Christmas tree to win double the dollar amount. The player will remove the scratch-off material covering the play area to reveal six prize amounts or five prize amounts and a Christmas tree symbol. If the player matches three like prize amounts, the player wins that prize amount. If the player matches two like prize amounts plus a Christmas tree symbol, the player wins double the prize amount. Game 2 is a bonus instant win game. A player removes the scratch-off material covering the bonus play area. If a prize amount is revealed, the player wins that prize amount instantly.

(h) Each ticket in this game may win up to two times.

(i) Approximately 1,200,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Game 1	Game 2	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - Free's		Free Ticket	104,000	\$0
2 - Free's & (D)		2 Free Tickets	37,200	0
	\$1.00	\$1	44,000	44,000
3 - \$1.00's	\$1.00	\$2	32,000	64,000
2 - \$1.00's & (D)		\$2	30,000	60,000
	\$3.00	\$3	16,000	48,000
2 - \$3.00's & (D)		\$6	7,512	45,072
3 - \$5.00's	\$5.00	\$10	3,200	32,000
2 - \$5.00's & (D)		\$10	3,200	32,000
	\$10.00	\$10	3,200	32,000

(continued)

3 - \$5.00's	\$10.00	\$15	1,600	24,000
3 - \$20.00's		\$20	600	12,000
2 - \$10.00's & (D)		\$20	600	12,000
	\$20.00	\$20	800	16,000
3 - \$20.00's	\$20.00	\$40	560	22,400
2 - \$20.00's & (D)		\$40	520	20,800
2 - \$25.00's & (D)		\$50	320	16,000
3 - \$50.00's		\$50	320	16,000
3 - \$100.00's		\$100	200	20,000
3 - \$500's		\$500	60	30,000
2 - \$750's & (D)		\$1,500	12	18,000
3 - \$1,500's		\$1,500	12	18,000
TOTAL			<u>285,916</u>	<u>\$582,272</u>

(D) Denotes Christmas tree doubler symbol.

(k) The odds of winning a prize in this game are approximately one in 4.20. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-8-20-02, Aug. 14, 2002.)

111-4-1934. "Fabulous 50s" instant ticket lottery game number 234. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Fabulous 50s" commencing on or after August 28, 2002. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1934.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
15. ⁰⁰	FIFTEEN
50. ⁰⁰	FIFTY
\$500\$	FIVE-HUN

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
FTY	=	\$50.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Fabulous 50s" is a match three of six game. A player will remove the scratch-off material covering the game play area to reveal six prize amounts. If three of the six prize amounts are identical, the player wins that prize amount.

(h) Each ticket in this game may win up to one time.

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes

per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - Free's	Free Ticket	108,000	\$0
3 - \$2.00's	\$2	36,000	72,000
3 - \$5.00's	\$5	20,400	102,000
3 - \$10.00's	\$10	5,463	54,630
3 - \$15.00's	\$15	3,297	49,455
3 - \$50.00's	\$50	3,000	150,000
3 - \$500's	\$500	<u>15</u>	<u>7,500</u>
TOTAL		<u>176,175</u>	<u>\$435,585</u>

(k) The odds of winning a prize in this game are approximately one in 5.11. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-8-20-02, Aug. 14, 2002.)

111-4-1935. "Triple Tripler" instant ticket lottery game number 235. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Triple Tripler" commencing on or after August 28, 2002. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1935.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$3. ⁰⁰	THR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
18. ⁰⁰	EGTEEN
30. ⁰⁰	THIRTY
90. ⁰⁰	NINETY
\$1000	ONETHOU
\$2000	TWOTHOU
\$6000	SIXTHOU
SINGLE PRIZE	
TRIPLE PRIZE	
TRIPLE TRIPLER	

(c) For this game, a play symbol shall appear in each of seven play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

ONE	=	\$1.00
THR	=	\$3.00
FIV	=	\$5.00
SIX	=	\$6.00
NIN	=	\$9.00
FTN	=	\$15.00
EGN	=	\$18.00
TRY	=	\$30.00
NTY	=	\$90.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Triple Tripler" is a match three of six game with a "TRIPLE PRIZE" and a "TRIPLE TRIPLER" feature. A player will remove the scratch-off material covering the game play area to reveal six prize amounts and a "YOUR PRIZE LEVEL." The "YOUR PRIZE LEVEL" will be either the words "SINGLE PRIZE," the words "TRIPLE PRIZE," or the words "TRIPLE TRIPLER." If a player matches three like prize amounts and the words "SINGLE PRIZE" are revealed, the player wins the prize amount shown. If a player matches three like prize amounts and the words "TRIPLE PRIZE" are revealed, the player wins triple the prize amount shown. If a player matches three like prize amounts and the words "TRIPLE TRIPLER" are revealed, the player wins nine times the prize amount shown.

(h) Each ticket in this game may win up to one time.

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - \$1's + (single prize)	\$1	75,000	\$75,000
3 - \$1's + (triple prize)	\$3	21,000	63,000
3 - \$3's + (single prize)	\$3	21,000	63,000
3 - \$5's + (single prize)	\$5	10,800	54,000
3 - \$2's + (triple prize)	\$6	7,800	46,800
3 - \$1's + (triple tripler)	\$9	5,316	47,844
3 - \$5's + (triple prize)	\$15	2,550	38,250
3 - \$2's + (triple tripler)	\$18	1,035	18,630
3 - \$18's + (single prize)	\$18	1,035	18,630
3 - \$30's + (single prize)	\$30	375	11,250
3 - \$10's + (triple prize)	\$30	378	11,340
3 - \$10's + (triple tripler)	\$90	129	11,610
3 - \$90's + (single prize)	\$90	129	11,610
3 - \$1,000's + (triple prize)	\$3,000	4	12,000
3 - \$6,000's + (single prize)	\$6,000	2	12,000
3 - \$2,000's + (triple prize)	\$6,000	3	18,000
TOTAL		<u>146,556</u>	<u>\$512,964</u>

(k) The odds of winning a prize in this game are approximately one in 6.14. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-8-20-02, Aug. 14, 2002.)

111-4-1936. "Terrific 3s" instant ticket lottery game number 236. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Terrific 3s" commencing on or after August 28, 2002. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1936.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
Free	TICKET
\$2. ⁰⁰	TWO\$
\$6. ⁰⁰	SIX\$
10. ⁰⁰	TEN\$

15. ⁰⁰	FIFTEEN
25. ⁰⁰	TWEN-FIV
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$1000	ONETHOU
3	THREE

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
TWO	=	\$2.00
THR	=	\$3.00
SIX	=	\$6.00
TEN	=	\$10.00
FTN	=	\$15.00
TWF	=	\$25.00
TRY	=	\$30.00
FTY	=	\$50.00
HUN	=	\$100.00
THH	=	\$300.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Terrific 3s" combines two different game plays within the same play area. A player can win by either matching three of six prize amounts or by revealing one or more "3" symbols and winning a prize according to the prize legend on the ticket front. A player will remove the scratch-off material covering the game play area to reveal six play symbols. If three of the six prize amounts are identical, the player wins that prize amount. If a player reveals from one to four "3" symbols, the player wins a prize according to the prize legend on the ticket front, as follows: one "3" equals \$3.00; two "3's" equal \$30.00; three "3's" equal \$300.00; and four "3's" equal \$1,333.00. Numbers below the horizontal solid line in the play area cannot be used to play the game. Only the highest prize will be paid on each ticket.

(h) Each ticket in this game may win up to one time.

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Method 1	Method 2	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - Free's		Free Ticket	120,000	\$0
3 - \$2.00's		\$2	37,500	75,000
	ONE 3	\$3	21,000	63,000
3 - \$6.00's		\$6	12,900	77,400
3 - \$10.00's		\$10	4,200	42,000
3 - \$15.00's		\$15	2,865	42,975
3 - \$25.00's		\$25	1,500	37,500

(continued)

	TWO 3's	\$30	1,125	33,750
3 - \$50.00's		\$50	600	30,000
3 - \$100.00's		\$100	225	22,500
	THREE 3's	\$300	21	6,300
3 - \$1,000.00's		\$1,000	6	6,000
	FOUR 3's	\$1,333	6	7,998
TOTAL			<u>201,948</u>	<u>\$444,423</u>

(k) The odds of winning a prize in this game are approximately one in 4.46. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-8-20-02, Aug. 14, 2002.)

111-4-1937. "Cash In A Flash" instant ticket lottery game number 237. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Cash In A Flash" commencing on or after August 28, 2002. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1937.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
Free	TICKET
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
20. ⁰⁰	TWNTY
25. ⁰⁰	TWNFIV
40. ⁰⁰	FORTY
\$500\$	FIVHUN
\$1500	FTNHN
01¢	PENNY
05¢	NICKEL
10¢	DIME
25¢	QUARTER
50¢	HALF

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
TWF	=	\$25.00
FRY	=	\$40.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Cash In A Flash" is an add-up game. A player will remove the latex material covering the game play area to reveal five play symbols (coins) and one prize symbol. If the five coins add up to \$1 or more, the player wins the prize in the prize box.

(h) Each ticket in this game may win up to one time.

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes In Game	Expected Value in Game
FREE	129,000	\$0
\$2	34,800	69,600
\$5	21,300	106,500
\$10	6,000	60,000
\$20	3,000	60,000
\$25	2,550	63,750
\$40	1,200	48,000
\$500	36	18,000
\$1,500	9	13,500
TOTAL	<u>197,895</u>	<u>\$439,350</u>

(k) The odds of winning a prize in this game are approximately one in 4.55. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-8-20-02, Aug. 14, 2002.)

111-4-1938. "Holiday Wishes" instant ticket lottery game number 239. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Holiday Wishes" commencing on or after August 28, 2002. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1938.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
\$2. ⁰⁰	TWO\$
\$3. ⁰⁰	THR\$
\$4. ⁰⁰	FOUR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
15. ⁰⁰	FIFTEEN
20. ⁰⁰	TWENTY
25. ⁰⁰	TWEN-FIV
30. ⁰⁰	THIRTY
40. ⁰⁰	FORTY
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$1000	ONETHOU
\$10000	10-THOU
\$75000	75-THOU
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN

12	TWLV
13	THRTN
14	FOURTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EIGHTN
19	NINTN
20	TWNTY
21	TWYONE
22	TWYTWO
23	TWYTHR
24	TWYFR
25	TWYFIV
Symbol of a wreath	WRTH
Symbol of a stocking	STCKNG
Symbol of a bell	BELL
Symbol of a candle	CNDLE
Symbol of a candy cane	CDYCNE
Symbol of a holly leaf	HOLLY
Symbol of a star	STAR
Symbol of a drum	DRUM
Symbol of a snowman	SNWMAN
Symbol of a Christmas tree	TREE
Symbol of an ornament	ORNMNT
Symbol of a present	PRSNT
Symbol of a sleigh	SLEGH
Symbol of a snowflake	SNWFLK
Symbol of Santa	SANTA
Symbol of an elf	ELF
MAYBE NEXT TIME	
GOOD LUCK	
Symbol of a mitten	MITTN
Symbol of a scarf	SCARF
Symbol of an angel	ANGEL
Symbol of a bow	BOW
Symbol of a songbird	SNGBIRD
Symbol of a pear	PEAR

(c) For this game, a play symbol shall appear in each of 62 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 029.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

TEN	=	\$10.00
FTN	=	\$15.00
SXN	=	\$16.00
TWY	=	\$20.00
TFO	=	\$24.00
TRY	=	\$30.00
FRY	=	\$40.00
FTY	=	\$50.00
HUN	=	\$100.00
THY	=	\$250.00

(f) The price of instant tickets sold by a retailer for this game shall be \$10.00 each.

(g) "Holiday Wishes" is a ticket with seven different play areas. Game 1 is a WREATH game. A player will

remove the scratch-off material to reveal five rows. If a player reveals a WREATH symbol in any row, the player wins that prize shown for that row. If a player gets two WREATH symbols in any row, the player wins double the prize for that row. A player can win up to five times in this game.

Game 2 is a match three of six game. If a player reveals three like prize amounts, the player wins that amount. A player can win once in this game.

Game 3 is a match three of six game. If a player reveals three like prize amounts, the player wins that amount. A player can win once in this game.

Game 4 is a symbol match game. If "YOUR SYMBOL" matches the "BONUS SYMBOL," the player wins the prize shown. A player can win once in this play area.

Game 5 is an instant win game. If a player reveals a prize amount, the player wins that amount instantly. A player can win once in this play area.

Game 6 is a key number match game. If a player matches either of the "WINNING NUMBERS" to any of the "YOUR NUMBERS," the player wins the prize shown below that number. A player can win up to 10 times in this play area.

Game 7 is a symbol match game. If a player reveals two like symbols, the player wins the prize shown. If the player reveals three like symbols, the player wins double the prize shown. A player can win once in this play area.

(h) Each ticket in this game may win up to 20 times.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$10	\$10	30,000	\$300,000
\$10 (\$2 x 5)	\$10	30,000	300,000
\$10 (\$5 x 2)	\$10	28,000	280,000
\$15	\$15	12,800	192,000
\$15 (\$5 x 3)	\$15	12,000	180,000
\$15 (\$5D + 5)	\$15	12,000	180,000
\$15 (\$3 x 5)	\$15	12,000	180,000
\$16 (\$2D x 2) + (\$2 x 4)	\$16	8,000	128,000
\$16 (\$4 x 4)	\$16	8,000	128,000
\$20	\$20	6,000	120,000
\$20 (\$5 x 4)	\$20	6,000	120,000
\$20 (\$2 x 10)	\$20	5,000	100,000
\$20 (\$10D)	\$20	5,000	100,000
\$20 (\$2D x 5)	\$20	4,000	80,000
\$24 (\$2D x 6)	\$24	4,000	96,000
\$30	\$30	4,000	120,000
\$30 (\$15 x 2)	\$30	3,000	90,000
\$30 (\$5D x 3)	\$30	2,600	78,000
\$30 (\$2 x 15)	\$30	1,870	56,100
\$30 (\$20 + \$10)	\$30	1,800	54,000
\$40	\$40	1,100	44,000
\$40 (\$5 x 8)	\$40	1,000	40,000
\$40 (\$4D x 4) + \$4 + \$4	\$40	1,000	40,000
\$40 (\$5 x 6) + \$10	\$40	900	36,000

(continued)

\$40 (\$2 x 20)	\$40	900	36,000
\$50	\$50	800	40,000
\$50 (\$25 x 2)	\$50	800	40,000
\$50 (\$5 x 10)	\$50	800	40,000
\$100	\$100	400	40,000
\$100 (\$10 x 10)	\$100	400	40,000
\$100 (\$5 x 20)	\$100	500	50,000
\$250 ((\$10 x 13) + \$100 + \$20)	\$250	200	50,000
\$1,000	\$1,000	40	40,000
\$1,000 (\$100 x 10)	\$1,000	40	40,000
\$10,000	\$10,000	14	140,000
\$75,000	\$75,000	8	600,000
TOTAL		<u>204,972</u>	<u>\$4,198,100</u>

(k) The odds of winning a prize in this game are approximately one in 2.93. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-8-20-02, Aug. 14, 2002.)

Article 5.—MULTI-STATE ON-LINE GAMES

111-5-28. Prize payments; annuitized and cash prizes. (a) Grand prizes shall be paid, at the election of the player made no later than 60 days after the player becomes entitled to a prize with either a per winner annuity or cash payment. If the payment election is not made at the time of purchase and is not made by the player within 60 days after the player becomes entitled to the prize, then the prize shall be paid as an annuity prize. An election for an annuity payment made by a player before ticket purchase or by system default or design may be changed to a cash payment at the election of the player until the expiration of 60 days after the player becomes entitled to the prize. The election to take the cash payment may be made at the time of the prize claim or within 60 days after the player becomes entitled to the prize. An election made after the winner becomes entitled to the prize is final and cannot be revoked, withdrawn or otherwise changed. Shares of the grand prize shall be determined by dividing the cash available in the grand prize pool equally among all winners of the grand prize. Winner(s) who elected a cash payment shall be paid their share(s) in a single cash payment. The annuitized option prize shall be determined by multiplying a winner's share of the grand prize pool by the MUSL annuity factor. The MUSL annuity factor is determined by the best total securities price obtained through a competitive bid of qualified, pre-approved brokers made after it is determined that the prize is to be paid as an annuity prize or after the expiration of 60 days after the winner becomes entitled to the prize. Neither MUSL nor the party lotteries shall be responsible or liable for changes in the advertised or estimated annuity prize amount and the actual amount purchased after the prize payment method is actually known to MUSL. In certain instances announced by the product group, the grand prize shall be a guaranteed amount and shall be determined pursuant to subsection (f) of K.A.R. 111-5-28. If individual shares of the cash held to fund an annuity are less than \$250,000, the product group, in its sole discretion, may elect to pay the winners their share of the cash held in the grand prize pool of the

annuity. All annuitized prizes shall be paid annually in 25 equal payments with the initial payment being made in cash, to be followed by 24 payments funded by the annuity. Funds for the initial payment of an annuitized prize shall be made available by MUSL for payment by a party lottery by the fifteenth calendar day following the drawing. A state may elect to make the initial payment from its own funds after validation, with notice to MUSL.

(b) In the event of the death of a lottery winner during the annuity payment period, the product group, in its sole discretion, upon the petition of the estate of the lottery winner to the Kansas lottery, may accelerate the payment of all of the remaining lottery proceeds to the estate. If the product group makes such a determination, then securities and/or cash held to fund the deceased lottery winner's annuitized prize, may be distributed to the estate. The identification of the securities to fund the annuitized prize shall be at the sole discretion of the product group.

(c) All low tier cash prizes, which are all prizes except the grand prize, shall be paid in cash through the party lottery which sold the winning ticket(s). A party lottery may begin paying low-tier cash prizes after receiving authorization to pay from the MUSL central office.

(d) Annuitized payments of the grand prize or a share of the grand prize may be rounded to facilitate the purchase of an appropriate funding mechanism. Breakage on an annuitized grand prize win shall be added to the first cash payment to the winner or winners. Prizes other than the grand prize, which, under these rules, may become single-payment, pari-mutuel prizes, may be rounded down so that prizes can be paid in multiples of whole dollars. Breakage resulting from rounding these prizes shall be carried forward to the prize pool for the next drawing.

(e) If the grand prize is not won in a drawing, the prize money allocated for the grand prize shall roll over and be added to the grand prize pool for the following drawing.

(f) The product group may offer guaranteed minimum grand prize amounts or minimum increases in the grand prize amount between drawings or make other changes in the allocation of prize money where the product group finds that it would be in the best interest of the game. If a minimum grand prize amount or a minimum increase in the grand prize amount between drawings is offered by the product group, then the grand prize shares shall be determined as follows. If there are multiple grand prize winners during a single drawing, each selecting the annuitized option prize, then a winner's share of the guaranteed annuitized grand prize shall be determined by dividing the guaranteed annuitized grand prize by the number of winners. If there are multiple grand prize winners during a single drawing and at least one of the grand prize winners has elected the annuitized option prize, then the best bid submitted by MUSL's pre-approved qualified brokers shall determine the cash pool needed to fund the guaranteed annuitized grand prize. If no winner of the grand prize during a single drawing has elected the annuitized option prize, then the amount of cash in the grand prize pool shall be an amount equal to the guaranteed annuitized amount divided by the average annuity factor of the most recent three best quotes provided

by MUSL's pre-approved qualified brokers submitting quotes. In no case, shall quotes be used which are more than two weeks old and if less than three quotes are submitted, then MUSL shall use the average of all quotes submitted. Changes in the allocation of prize money shall be designed to retain approximately the same prize allocation percentages, over a year's time, set out in these rules. Minimum guaranteed prizes or increases may be waived if the alternate funding mechanism set out in K.A.R. 111-5-26 becomes necessary.

(g) The holder of a winning ticket may win only one prize per board in connection with the winning numbers drawn, and shall be entitled only to the prize won by those numbers in the highest matching prize category.

(h) All prizes must be claimed within 365 days of the day of the drawing in which the prize was won. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8731; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-2-23-93, Feb. 19, 1993; amended, T-111-6-27-96, June 21, 1996; amended, T-111-10-27, Sept. 12, 1997; amended, T-111-1-21-99, Jan. 15, 1999; amended, T-111-8-20-02, Aug. 14, 2002.)

111-5-30. Claiming prizes; procedure and time period. (a) Prior to the payment of any prize, each ticket shall be validated by the retailer or lottery office pursuant to this act.

(b) The procedures for payment of a "Powerball" prize on any single game ticket of \$599 or less, except for a grand prize, are as follows:

(1) The claimant of a ticket purchased in Kansas may present the ticket to any Kansas lottery on-line retailer. Upon validation of the ticket, the retailer shall immediately make payment for the prize to the claimant. If the retailer cannot validate the ticket, the claimant shall fill out a claim form provided by the retailer and personally present or mail the completed form together with the ticket to any office of the Kansas lottery. If the ticket is validated, then payment shall be made to the claimant by mail.

(2) The claimant may bring the ticket to any office of the Kansas lottery during the hours that the office is open to the public for business. Upon validation of the ticket, and completion of a claim form, payment shall be processed for the claimant.

(3) The claimant may mail the ticket with a completed claim form in any envelope to any office of the Kansas lottery. Claim forms may be obtained from any lottery retailer or any office of the Kansas lottery. Upon receipt of the ticket and completed claim form and validation of the ticket, payment shall be processed for the claimant.

If any evidence of alteration, mutilation, tear, or other ambiguity appears on the ticket, the retailer shall not make direct payment of a prize. The claimant shall submit a claim form with the ticket to the lottery.

(c) The procedure for the payment of a Powerball prize on any single game ticket which totals \$600.00 or more shall be as follows:

(1) The claimant may bring the signed ticket to any office of the Kansas lottery during the hours that the office is open to the public for business. Upon validation of the

ticket and completion of a claim form, payment shall be processed for the claimant.

(2) The claimant may mail the ticket with a completed claim form to any office of the Kansas lottery. Claim forms may be obtained from any lottery retailer or any office of the Kansas lottery. Upon receipt of the ticket and completed claim form and validation of the ticket, payment shall be processed for the claimant.

(d) Although tickets and claim forms may be presented or mailed to any Kansas lottery office, such prizes may only be paid by lottery headquarters.

(e) All prizes shall be claimed within 365 days of the drawing in which the prize was won. Any prize or prizes not claimed within the time specified shall be forfeited. If a prize is claimed by mail, the ticket and claim form must actually be received by the lottery within the claim period. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and 74-8720; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-3-31-00, March 17, 2000; amended, T-111-8-20-02, Aug. 14, 2002.)

111-5-82. Prize pool; reserve account. (a) The prize pool for all prize categories shall consist of 50 percent of each drawing period's sales after the prize reserve account or accounts are funded to the amounts set by the product group. Any amount remaining in the prize pool at the end of this game shall be carried forward to a replacement game or expended in a manner as directed by the product group.

(b) One and thirty-two thousand two hundred thirteen hundred thousandths percent (1.32213%) of sales shall be placed in trust in one or more prize reserve accounts until the prize reserve accounts reach the amount designated by the product group. When the prize reserve accounts exceed the designated amount, the excess shall become part of the prize pool. Any amount remaining in prize reserve accounts at the end of this game shall be carried forward to a replacement prize reserve account or expended in a manner as directed by the product group. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 2001 Supp. 74-8731; effective, T-111-7-15-02, May 15, 2002; amended, T-111-8-20-02, Aug. 14, 2002.)

111-5-83. Expected prize payout. (a) Each grand prize shall be paid on a lump-sum basis of \$20,000, except that if a total of more than five plays sold by the party lotteries are entitled to a grand prize, all grand prize winners shall be paid a total of \$100,000 on a pari-mutuel basis. Except as provided in these rules, all other prizes awarded shall be paid as set cash prizes with the following expected prize payout percentages (these percentages assume the prize reserve account or accounts established by K.A.R. 111-5-82(b) have been fully funded):

Number of Matches Per Play*	Prize Payment	Prize Pool Percentage Allocated to Prize
Two (2) of first set plus two (2) of second set	\$20,000	38.8985%
	Grand Prize	
Two (2) of first set plus any one (1) of second set	\$100	9.3356%
Any one (1) of first set plus two (2) of second set	\$100	9.3356%
Two (2) of first set plus none of second set	\$3	1.6104%

(continued)

None of first set plus two (2) of second set	\$3	1.6104%
Any one (1) of first set plus any one (1) of second set	\$3	13.4433%
Any one (1) of first set plus none of second set	Free Ticket	12.8831%
None of first set plus any one (1) of second set	Free Ticket	12.8831%

The following prize pool percentages apply if the prize reserve account or accounts established by K.A.R. 111-5-82(b) have not yet been fully funded:

Number of Matches Per Play*	Prize Payment	Prize Pool Percentage Allocated to Prize
Two (2) of first set plus two (2) of second set	\$20,000	37.8698%
	Grand Prize	
Two (2) of first set plus any one (1) of second set	\$100	9.0888%
Any one (1) of first set plus two (2) of second set	\$100	9.0888%
Two (2) of first set plus none of second set	\$3	1.5678%
None of first set plus two (2) of second set	\$3	1.5678%
Any one (1) of first set plus any one (1) of second set	\$3	13.0878%
Any one (1) of first set plus none of second set	Free Ticket	12.5425%
None of first set plus any one (1) of second set	Free Ticket	12.5425%

* The first set of numbers is the "red" set of numbers; the second set of numbers is the "white" set of numbers.

(b) The prize pool percentage allocated to the prizes shall be carried forward to subsequent draws if all or a portion of it is not needed to pay the prizes awarded in the current draw. If the total of the prizes awarded to party lotteries in a drawing exceeds the percentage of the prize pool allocated to the prizes, then the amount needed to fund the prizes awarded shall be obtained from the following sources, in the following order: (1) the amount allocated to the prizes and carried forward from previous draws, if any; (2) an amount from the prize reserve account, if available, not to exceed the balance of the account; (3) an amount from the lottery's unreserved account held by MUSL based upon the percent of sales by lottery for that drawing as compared to the sales of all other party lotteries; or, (4) from the lottery's general funds based on the percent of sales by lottery for that drawing as compared to the sales of all other party lotteries. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-7-15-02, May 15, 2002; amended, T-111-8-20-02, Aug. 14, 2002.)

111-5-96. Determination of "Powerball Instant Millionaire Game Show" winners. The following process shall be used for the selection of winners in the "Powerball Instant Millionaire Game Show" drawings:

(a) Kansas lottery personnel shall pick up all mail containing entries for the "Powerball Instant Millionaire Game Show" at the United States Post Office in Topeka, Kansas, with the final pick up at the Topeka post office in the morning mail pickup on the Tuesday next preceding each scheduled drawing. Following each such morning mail pickup, the envelopes containing mailed entries will be transported to lottery headquarters and opened by lottery personnel. All mailed entries shall be securely stored by lottery personnel until such time as the entries are placed in the drawing receptacle or drum.

(b) The drawing shall be held at Kansas lottery headquarters and shall be open to the public with lottery security personnel present. The drawing shall be audio and video taped.

(c) At each scheduled drawing, lottery security personnel will be present with the person designated by the executive director to perform the drawing. Prior to the drawing, if a drum is used, the drum shall be sealed and

the contents mixed by rotating the drum at least 10 times. If a receptacle other than a drum is used, the contents shall be mixed with a shovel or by other means for at least three minutes prior to the drawing.

(d) The designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove one entry from the receptacle or drum. The person whose name appears on the entry shall be the winner of the on-air prize package for the first available taping of the "Powerball Instant Millionaire Game Show" as identified in K.A.R. 111-5-95, subject to validation by the lottery as set forth in these rules. If valid, the entry shall be marked in such a way as to identify it as the winner for the applicable drawing and taping. This procedure shall be repeated for each game show taping for which entries are being drawn.

(e) After the required number of valid on-air winning entries have been selected, the drawing process shall continue until a pre-determined number of valid entries has been drawn to win the at-home prizes for each of the same game show tapings as identified in K.A.R. 111-5-95. Each valid entry shall be marked in numerical order drawn and in such a way as to identify it as one of the at-home winners for the applicable drawing and taping.

(f) After said on-air and at-home winning entries have been drawn, and the entries have been verified as valid, 10 more entries will be drawn, one at a time. The last 10 entries drawn will serve as alternate entries for the winners selected in that drawing. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, 5A, 6A, 7A, 8A, 9A, and 10A, and otherwise identified as having been selected for the applicable drawing. The alternate entries will be used only if one or more of the original winners cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, or is elevated to be an on-air winner. If an on-air winner cannot be located, is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the next selected at-home winner for that taping shall be declared the winner, subject to the claim procedure as set forth in K.A.R. 111-5-97. If an at-home winner cannot be located, is declared ineligible, or fails to timely present a fully-executed claim forms to lottery headquarters, or is elevated to be an on-air winner, the next selected alternate winner shall be declared the winner, subject to the claim procedure as set forth in K.A.R. 111-5-97. The alternates will be used, if necessary, in the order drawn. If an alternate winner cannot be located, is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the alternate winner process shall be repeated until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

(g) The Kansas lottery security official present shall review each ticket drawn to determine the validity of the entry into the "Powerball Instant Millionaire Game Show" drawing in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner and the prize won.

(h) If the entry is determined to be ineligible, it shall be discarded by the security person present and another en-

try drawn, except that if the sole reason for ineligibility is because the person named thereon was determined to be a winner for the next preceding tapping, then said entry shall be returned to the drawing receptacle. This procedure will be repeated until valid selections are obtained.

(i) All entries remaining in the drum or receptacle after the winners and alternates have been selected, and all entries not received in compliance with these rules, shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-7-15-02, June 21, 2002; amended, T-111-8-20-02, Aug. 14, 2002.)

111-5-97. Claiming prizes. (a) The winner of a travel package prize as a result of a "Powerball Instant Millionaire Game Show" drawing shall, within 10 calendar days of the drawing, or in the case of an elevated winner within 10 calendar days of the date a claim form is mailed or otherwise delivered to said winner, return to the lottery a completed claim form or the person named on the entry drawn will no longer be eligible for the prize. In such an event, the next eligible prize winner drawn pursuant to these rules shall be declared the on-air winner;

(b) The winner of an on-air or at-home prize other than a travel package as a result of a "Powerball Instant Millionaire Game Show" shall, within 30 calendar days of being given or sent a claim form, return to the lottery the completed claim form or the person named on the entry drawn will no longer be eligible for the prize. In such an event, the next eligible winner drawn pursuant to these rules shall be declared the winner; and,

(c) All completed claim forms must be actually received by the lottery no later than 5:00 p.m. on the last day of said 10 or 30 calendar day deadline. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-7-15-02, June 21, 2002; amended, T-111-8-20-02, Aug. 14, 2002.)

Article 6.—ON-LINE GENERIC GAME RULES

111-6-5. Payment of prizes. (a) Following the drawing for which an on-line ticket was purchased, and prior to the payment of any prize, the claimant shall present the winning on-line ticket to any on-line retailer, or any Kansas lottery office for validation.

(b) The procedure for payment of a prize on any single game ticket which totals less than \$600 is as follows:

(1) The holder of the ticket may present it to any on-line retailer. Upon validation of the ticket, the retailer shall immediately pay the holder of the ticket. If the on-line retailer cannot validate the ticket, the claimant must obtain and complete a claim form and submit it with the ticket to any Kansas lottery office by mail or in person.

(2) Prizes payable by on-line retailers shall be paid during all normal business hours of the retailer, provided the on-line system is operational and tickets can be validated.

(3) An on-line retailer may pay prizes in cash or by business check, certified check, or money order, or any combination thereof. An on-line retailer who pays a prize with a check which is dishonored may be subject to suspension or termination of its contract.

(4) A winning on-line ticket offering a free ticket or tickets may be claimed at any on-line retailer location or at any Kansas lottery office. If a winning on-line ticket offers the player 15 or more free tickets, the prize must be claimed at lottery headquarters. A player claiming a free ticket prize at the lottery may be issued either a free ticket or a \$1.00 prize payment at the discretion of the executive director.

(c) To claim an on-line prize of more than \$599, the claimant shall obtain and complete a claim form and submit it with the winning ticket to any Kansas lottery office by mail or in person. Although claims may be submitted to any Kansas lottery office, such prizes can only be paid from the lottery's headquarters in Topeka. Upon determination that the ticket is a winning ticket and receipt of a completed claim form, the lottery shall process for payment the amount due, less any withholding required by state and federal laws. The amount due shall be calculated according to the rules adopted for the particular on-line game. If the ticket is determined to be a non-winning ticket, the claim shall be denied and the claimant shall be promptly notified.

(d) If the claim is presented to a lottery regional office or to lottery headquarters, the claimant must complete a claim form regardless of the prize amount and submit it with the winning ticket, either by mail or in person. Upon determination that the ticket is a winning ticket and receipt of a completed claim form, the lottery shall present or mail a check to the claimant in payment of the amount due, less any withholding required by state and federal laws.

(e) All on-line prizes must be claimed within 365 days including the first day of the game or the drawing in which the prize was won. To claim a prize, the holder of the winning ticket must present or mail the winning ticket and claim form to the Kansas lottery, and the lottery must actually receive it within the above time period. Any on-line prizes not claimed within the specified period shall be added to the prize pools of subsequent Kansas lottery games.

(f) If the ticket is determined to be a non-winning ticket, the claim shall be denied and the claimant shall be promptly notified. Non-winning tickets will not be returned to the claimant.

(g) A validated ticket shall be the only proof of a game play or plays, and the submission of a winning ticket to and receipt of the ticket by the lottery or its authorized retailer shall be the sole method of claiming a prize.

(h) Claims in excess of \$599 shall not be paid by lottery retailers. The lottery has no obligation to reimburse retailers paying claims in excess of \$599. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-12-21-90, Dec. 14, 1990; amended, T-111-7-30-93, July 23, 1993; amended, T-111-8-5-94, July 15, 1994; amended, T-111-7-22-96, July 19, 1996; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-9-14-99, Aug. 20, 1999; amended, T-111-3-31-00, March 17, 2000; amended, T-111-8-20-02, Aug. 14, 2002.)

Article 7.—ON-LINE GAMES

111-7-123. Prizes, probability of winning. (a) Prizes shall be awarded for matching two, three, four, five
(continued)

or six numbers on a board. For each board, the five numbers selected from the set of numbers one (01) through 32 shall be designated as "field one" and the one number selected from one (01) through 25 shall be designated as "field two." Prize categories, probability of winning per each play (two boards) rounded to the nearest whole number and prize allocation are as follows:

Prize Category	Matches in One Game Play		Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
	Field 1	Field 2			
1	5	1	1 in 2,517,200	\$100,000 (minimum)	54.14%
2	5	0	1 in 104,883	\$2,000	4.77%
3	4	1	1 in 18,646	\$250	2.68%
4	4	0	1 in 777	\$25	6.43%
5	3	1	1 in 717	\$25	6.97%
6	3	0	1 in 30	\$2	13.39%
7	2	1	1 in 86	\$2	4.65%
8	1	1	1 in 29	\$1	6.97%

Overall odds of winning any prize are one in 12.0 per play.

(b) The jackpot prize for matching all six winning numbers shall be calculated on a parimutuel basis and be not less than \$100,000 for the first drawing and until won not less than an additional \$10,000 for each of the drawings which follow if no one matches six numbers in the first drawing. On any draw, if the jackpot is hit and the jackpot pool is insufficient to match the guarantee, the lottery will utilize the lottery prize payment fund, including unclaimed prize money to fund the guaranteed jackpot amounts.

(c) All prizes shall be paid in a lump sum.

(d) If, in a single drawing, there are more than 50 category 2 (\$2,000) prizes awarded, said prizes shall become parimutuel unless otherwise directed in the sole discretion of the executive director. The prize pool percentage allocated to the set prizes (prize categories 2, 3, 4, 5, 6, 7, and 8) shall be carried forward to subsequent draws if all or a portion of it is not needed to pay the set prizes awarded in the current draw. If the total of the set prizes awarded in a drawing exceeds the percentage of the prize pool allocated to the set prizes, then the amount needed to fund the set prizes awarded shall be drawn from the amount allocated to the set prizes and carried forward from previous draws, if any. If there are not sufficient funds to pay the set prizes, then the highest set prize (prize category 2) shall become a parimutuel prize. In that instance, the money available from the funding sources listed in this rule shall first be used to pay all set prizes in prize categories 3, 4, 5, 6, 7, and 8, with the remainder equally divided among all prize category 2 winning plays. That, however, the executive director shall have the authority to direct all prizes won in a drawing be paid in full.

(e) The calculation of a parimutuel prize shall be rounded down so that prizes can be paid in multiples of whole dollars.

(f) Upon commencement of the Super Kansas Cash game, all valid Kansas Cash tickets entitled to win a free ticket shall receive a free Super Kansas Cash ticket. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-7-22-96, July 19, 1996; amended, T-111-9-16-96, Sept. 13, 1996; amended, T-111-10-16-00, Sept. 8,

2000; amended, T-111-12-15-00, Nov. 17, 2000; amended, T-111-4-17-02, Jan. 16, 2002; amended, T-111-8-20-02, Aug. 14, 2002.)

111-7-126. Claiming prizes; procedure and time period. (a) Following the drawing for which a Super Kansas Cash ticket was purchased, and prior to the payment of that prize, each ticket shall be validated by any on-line retailer or any Kansas lottery office pursuant to K.A.R. 111-6-7 and this article.

(b) The procedure for payment of a prize on any single game ticket of \$599 or less is as follows:

(1) The holder of a ticket purchased in Kansas may present the ticket to any on-line retailer. Upon validation of the ticket, the retailer shall immediately make payment of the prize to the holder. If the retailer cannot validate the ticket, the claimant shall fill out a claim form provided by the retailer and personally present or mail the completed form, together with the ticket, to any office of the Kansas lottery. If the ticket is validated and the claim form is completed, then payment shall be made either directly to the claimant if personally present at lottery headquarters or by mail.

(2) The claimant may bring the ticket to any regional office of the Kansas lottery during the hours that the office is open to the public for business. Upon validation of the ticket, and completion of a claim form, payment shall be processed for the claimant.

(3) The claimant may mail the ticket with a completed claim form in any envelope, to any office of the Kansas lottery. Claim forms may be obtained from any lottery retailer or any office of the Kansas lottery. Upon validation of the ticket and receipt of a completed claim form, payment shall be processed for the claimant.

If evidence of alteration, mutilation, tear, or other ambiguity appears on the ticket, the retailer shall not make the direct payment of a prize. The claimant shall submit a claim form with the ticket to the lottery.

(c) The procedure for the payment of a Super Kansas Cash prize on any single game ticket which totals \$600 or more shall be as follows:

(1) The claimant may bring the ticket to any office of the Kansas lottery during the hours that the office is open to the public for business. Upon validation of the ticket and completion of a claim form, payment shall be processed for the claimant.

(2) The claimant may mail the ticket with a completed claim form to any office of the Kansas lottery. Claim forms may be obtained from any lottery retailer or any office of the Kansas lottery. Upon validation of the ticket and receipt of a completed claim form, payment shall be processed for the claimant. Although tickets and claim forms may be presented or mailed to any Kansas lottery office, such prizes may only be paid by lottery headquarters.

(d) All prizes shall be claimed within the time set forth in K.A.R. 111-7-124(c). Any prize or prizes not claimed within the time specified shall be forfeited. If a prize is claimed by mail, the ticket and claim form must actually be received by the lottery within the claim period. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective,

T-111-7-22-96, July 19, 1996; amended, T-111-8-5-96, July 31, 1996; amended, T-111-3-31-00, March 17, 2000; amended, T-111-4-17-02, Jan. 16, 2002; amended, T-111-8-20-02, Aug. 14, 2002.)

Article 9.—PULL-TAB GAMES

111-9-117. “Empty the Vault” pull tab ticket lottery game number 238. (a) The Kansas lottery shall conduct a pull tab lottery game entitled “Empty the Vault” commencing on or after August 28, 2002. The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-117.

(b) The price of pull tab tickets sold by a retailer for this game shall be \$2.00 each.

(c) Approximately 1,200,000 tickets shall be ordered initially for this pull tab game which shall be packaged in packs of 50 tickets each. The ticket numbers in each pack in this game shall start with 000 and end with 049. Additional ticket orders shall have the same prize structure, the same number of prizes per pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(d) The play symbols for this game are as follows:

- Symbol of a gold bar
- Symbol of a bag of money
- Symbol of a money clip
- Symbol of a diamond ring
- Symbol of a bank vault
- Symbol of a necklace
- Symbol of a piggy bank
- Symbol of a stack of coins

(e) For this game, three play symbols shall appear under each of eight tabs on the back of each ticket. On the front of each ticket shall appear a legend of all winning combinations using the play symbols for this game along with the corresponding prize amount for each combination, as follows: three stacks of coins equal \$2.00; three piggy banks equal \$5.00; three necklaces equal \$10.00; three bank vaults equal \$25.00; three diamond rings equal \$50.00; three money clips equal \$100.00; three money bags equal \$250.00; and three gold bars equal \$5,000.00.

(f) All tabs on the back of each ticket are to be pulled open. For each combination of three play symbols matching the legend on the front of the ticket, the player wins the prize amount corresponding to each combination as

shown in (h) below. All winning combinations shall be within a single window in a horizontal line.

(g) The three letters comprising the retailer validation codes used in this game shall appear in three of 12 varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

TWO	=	\$2.00
FOR	=	\$4.00
FIV	=	\$5.00
SEV	=	\$7.00
TEN	=	\$10.00
TWF	=	\$25.00
FTY	=	\$50.00
HUN	=	\$100.00
THY	=	\$250.00

(h) The number and value of prizes in this game and winning combinations shall be as follows:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$2	\$2	164,000	328,000
\$2 + \$2	\$4	56,240	224,960
\$5	\$5	52,000	260,000
\$5 + \$2	\$7	30,000	210,000
\$10	\$10	9,600	96,000
\$5 + \$5	\$10	8,800	88,000
\$25	\$25	3,600	90,000
\$5 + \$10 + \$10	\$25	3,200	80,000
\$5 + \$5 + \$5 + \$10	\$25	3,000	75,000
\$50	\$50	800	40,000
\$100	\$100	200	20,000
\$250	\$250	80	20,000
\$5,000	\$5,000	20	100,000
TOTAL		331,540	\$1,631,960

(i) Each ticket in this game may have up to four winning combinations.

(j) The overall odds of winning a prize in this game are approximately one in 3.62. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-8-20-02, Aug. 14, 2002.)

Ed Van Petten
Executive Director

Doc. No. 028351

INDEX TO ADMINISTRATIVE REGULATIONS

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44-6-108	Amended	V. 21, p. 1408
44-6-114c	Amended	V. 21, p. 1408
44-6-114d	New	V. 21, p. 1409
44-6-114e	New	V. 21, p. 1409
44-6-115	Revoked	V. 21, p. 1415
44-6-115a	New	V. 21, p. 1415
44-6-115b	New	V. 21, p. 1415
44-6-115c	New	V. 21, p. 1417
44-6-117	Revoked	V. 21, p. 1418
44-6-120	Revoked	V. 21, p. 1418
44-6-124	Revoked	V. 21, p. 1418
44-6-125	Amended	V. 21, p. 1418
44-6-126	Amended	V. 21, p. 1419
44-6-133	Revoked	V. 21, p. 1419
44-6-134	Amended	V. 21, p. 1419
44-6-136	Amended	V. 21, p. 1419
44-6-136a	Amended	V. 21, p. 1420
44-6-137	Amended	V. 21, p. 1420
44-6-138	Amended	V. 21, p. 1420
44-6-140	Amended	V. 21, p. 1421
44-6-140a	Amended	V. 21, p. 1421
44-6-141	Amended	V. 21, p. 1421
44-6-142	Revoked	V. 21, p. 1421
44-6-143	Amended	V. 21, p. 1421
44-6-146	Revoked	V. 21, p. 1422
44-7-102	Revoked	V. 21, p. 309
44-7-103	Revoked	V. 21, p. 309
44-7-105	Revoked	V. 21, p. 309
44-7-106	Revoked	V. 21, p. 309

44-7-107	Revoked	V. 21, p. 309
44-7-109	Revoked	V. 21, p. 309
44-7-112	Revoked	V. 21, p. 309
44-7-114	Revoked	V. 21, p. 309
44-7-115	Revoked	V. 21, p. 309
44-7-116	Revoked	V. 21, p. 309
44-8-110	through	
44-8-114	Revoked	V. 21, p. 309
44-11-111	Amended	V. 21, p. 335
44-11-112	Revoked	V. 21, p. 336
44-11-113	Amended	V. 21, p. 336
44-11-114	Revoked	V. 21, p. 336
44-11-115	Revoked	V. 21, p. 336
44-11-119	Amended	V. 21, p. 336
44-11-120	Amended	V. 21, p. 336
44-11-121	Amended	V. 21, p. 337
44-11-122	Revoked	V. 21, p. 337
44-11-123	Amended	V. 21, p. 337
44-11-124	Revoked	V. 21, p. 337
44-11-127	Amended	V. 21, p. 337
44-11-129	Amended	V. 21, p. 338
44-11-130	Amended	V. 21, p. 338
44-11-131	Amended	V. 21, p. 339
44-11-132	Amended	V. 21, p. 339
44-11-133	Amended	V. 21, p. 339
44-11-135	Amended	V. 21, p. 339
44-12-103	Amended	V. 21, p. 117
44-12-105	Amended	V. 21, p. 117
44-12-106	Amended	V. 21, p. 117
44-12-107	Amended	V. 21, p. 117
44-12-201	through	
44-12-205	Amended	V. 21, p. 118
44-12-210	Amended	V. 21, p. 118
44-12-303	Amended	V. 21, p. 118
44-12-305	Amended	V. 21, p. 118
44-12-306	Amended	V. 21, p. 119
44-12-307	Amended	V. 21, p. 119
44-12-309	Amended	V. 21, p. 119
44-12-310	Amended	V. 21, p. 119
44-12-312	Amended	V. 21, p. 119
44-12-313	Amended	V. 21, p. 119
44-12-314	Amended	V. 21, p. 119
44-12-318	Amended	V. 21, p. 120
44-12-320	Revoked	V. 21, p. 120
44-12-321	Amended	V. 21, p. 120
44-12-325	Amended	V. 21, p. 120
44-12-326	Revoked	V. 21, p. 120
44-12-327	Amended	V. 21, p. 120
44-12-328	Amended	V. 21, p. 120
44-12-401	Amended	V. 21, p. 120
44-12-501	Amended	V. 21, p. 121
44-12-503	Amended	V. 21, p. 121
44-12-504	Amended	V. 21, p. 121
44-12-505b	Amended	V. 21, p. 121
44-12-601	Amended	V. 21, p. 121
44-12-602	Amended	V. 21, p. 123
44-12-702	Amended	V. 21, p. 123
44-12-801	Amended	V. 21, p. 123
44-12-902	Amended	V. 21, p. 123
44-12-1002	Amended	V. 21, p. 123
44-12-1306	Amended	V. 21, p. 123
44-12-1307	Amended	V. 21, p. 124
44-13-101	Amended	V. 21, p. 151
44-13-104	Revoked	V. 21, p. 151
44-13-105	Amended	V. 21, p. 151
44-13-106	Amended	V. 21, p. 151
44-13-201	Amended	V. 21, p. 152
44-13-201b	Amended	V. 21, p. 153
44-13-202	Amended	V. 21, p. 153
44-13-302a	Revoked	V. 21, p. 153
44-13-304	Revoked	V. 21, p. 153
44-13-306	New	V. 21, p. 154
44-13-307	New	V. 21, p. 154
44-13-401	Amended	V. 21, p. 154
44-13-401a	Revoked	V. 21, p. 154
44-13-402	Amended	V. 21, p. 154
44-13-403	Amended	V. 21, p. 155
44-13-404	Amended	V. 21, p. 156
44-13-405a	Amended	V. 21, p. 157
44-13-406	Amended	V. 21, p. 158
44-13-408	Amended	V. 21, p. 158
44-13-409	Amended	V. 21, p. 158
44-13-501	Amended	V. 21, p. 158
44-13-502a	Amended	V. 21, p. 158
44-13-506	through	
44-13-509	Amended	V. 21, p. 158, 159

(continued)

44-13-601	Amended	V. 21, p. 159
44-13-603	Amended	V. 21, p. 159
44-13-610	Amended	V. 21, p. 159
44-13-701 through 44-13-704	Amended	V. 21, p. 159, 160
44-13-705	Revoked	V. 21, p. 161
44-13-706	Amended	V. 21, p. 161
44-13-707	Amended	V. 21, p. 161
44-14-101	Revoked	V. 21, p. 83
44-14-102	Revoked	V. 21, p. 83
44-14-201	Revoked	V. 21, p. 83
44-14-202	Revoked	V. 21, p. 83

44-14-301 through 44-14-318	Revoked	V. 21, p. 83
44-15-101	Amended	V. 21, p. 84
44-15-101a	Amended	V. 21, p. 84
44-15-102	Amended	V. 21, p. 85
44-15-201	Amended	V. 21, p. 86
44-16-102	Amended	V. 21, p. 86
44-16-103	Revoked	V. 21, p. 86
44-16-104	Revoked	V. 21, p. 86
44-16-105	Amended	V. 21, p. 86
44-16-106	Revoked	V. 21, p. 86
44-16-107	Revoked	V. 21, p. 86
44-16-108	Revoked	V. 21, p. 86

AGENCY 45: KANSAS PAROLE BOARD

Reg. No.	Action	Register
45-700-1	New (T)	V. 21, p. 1328
45-700-2	New (T)	V. 21, p. 1328

AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-1-2	Amended	V. 20, p. 137
50-1-3	Amended	V. 20, p. 138
50-1-4	Amended	V. 20, p. 138
50-2-1	Amended	V. 20, p. 139
50-2-3	Amended	V. 20, p. 139
50-2-9	Revoked	V. 20, p. 140
50-2-12	Amended	V. 20, p. 140
50-2-17	Amended	V. 20, p. 140
50-2-18	Amended	V. 20, p. 140
50-2-19	Amended	V. 20, p. 140
50-2-21	Amended	V. 20, p. 141
50-2-26	Amended	V. 20, p. 143
50-3-1 through 50-3-5	Amended	V. 20, p. 143-145
50-4-2	Amended	V. 20, p. 146

AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-2-6	New	V. 21, p. 864
51-3-1 through 51-3-4	Amended	V. 21, p. 864-865
51-9-7	Amended	V. 20, p. 1755
51-9-12 through 51-9-14	Revoked	V. 21, p. 865
51-9-15	New	V. 21, p. 1224
51-9-16	New	V. 21, p. 1271
51-10-6	Revoked	V. 21, p. 865
51-17-1	Revoked	V. 21, p. 865
51-24-1	Amended	V. 21, p. 865
51-24-3	Amended	V. 21, p. 865
51-24-4	Amended	V. 21, p. 866

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-2-101	Amended	V. 21, p. 840
60-3-106	Amended	V. 21, p. 840
60-3-111	Amended	V. 20, p. 1522
60-4-101	Amended	V. 20, p. 449
60-4-103	Amended	V. 21, p. 841
60-7-102	Amended	V. 20, p. 449
60-7-108	Amended	V. 20, p. 449
60-8-101	Amended	V. 20, p. 449
60-9-105	Amended	V. 20, p. 449
60-9-106	Amended	V. 20, p. 450
60-11-116	Amended	V. 21, p. 316
60-11-119	Amended	V. 20, p. 451
60-12-106	Amended	V. 20, p. 1522
60-13-101	Amended	V. 20, p. 451
60-13-103	Amended	V. 21, p. 316

60-13-110	Amended	V. 21, p. 317
60-13-112	Amended	V. 20, p. 1523
60-16-101	Amended	V. 21, p. 841
60-16-103	Amended	V. 21, p. 842
60-16-104	Amended	V. 21, p. 842

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-23	New	V. 21, p. 659
63-3-22	New	V. 21, p. 659
63-3-23	New	V. 21, p. 659
63-4-1	Amended	V. 21, p. 659
63-7-1 through 63-7-8	New	V. 21, p. 660-662

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-4-3	Amended	V. 21, p. 183
65-8-5	New	V. 20, p. 944

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended	V. 20, p. 1647
66-6-4	Amended	V. 20, p. 1647
66-10-1	Amended	V. 20, p. 103
66-10-4	Amended	V. 20, p. 103
66-10-11	Amended	V. 20, p. 104
66-10-12	Amended	V. 20, p. 1648
66-10-13	Amended	V. 20, p. 1648
66-14-5	Amended	V. 20 pp. 1649
66-14-10	Amended	V. 20, p. 104

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1a	Amended	V. 21, p. 746
68-1-1e	Revoked	V. 21, p. 308
68-1-2a	Amended	V. 21, p. 746
68-1-3	Revoked	V. 21, p. 308
68-1-3a	Amended	V. 21, p. 746
68-2-5	Amended	V. 21, p. 308
68-9-1	Amended	V. 21, p. 308
68-9-2	New	V. 20, p. 1020

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-3a	Amended	V. 20, p. 1650
74-4-4	Amended	V. 20, p. 1650
74-4-8	Amended	V. 20, p. 1650
74-5-2	Amended	V. 20, p. 1651
74-5-202	Amended	V. 20, p. 1652
74-5-205	Amended	V. 20, p. 1652
74-5-302	Amended	V. 20, p. 1652
74-5-404a	Amended	V. 20, p. 1652
74-7-3	New	V. 20, p. 1652
74-11-6	Amended	V. 20, p. 1653
74-11-7	Amended	V. 20, p. 1653
74-11-8 through 74-11-14	Revoked	V. 20, p. 1653
74-11-15	New	V. 20, p. 1653
74-12-1	Amended	V. 20, p. 1654

AGENCY 75: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
75-6-32	New	V. 20, p. 175

AGENCY 80: KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

Reg. No.	Action	Register
80-5-19 through 80-5-22	New	V. 20, p. 1649, 1650
80-9-1	New	V. 20, p. 1650
80-9-2	New	V. 20, p. 1650

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-3-1	Amended	V. 20, p. 1604
81-3-2	Amended	V. 20, p. 1606
81-3-3	Revoked	V. 20, p. 1606
81-3-5	New	V. 20, p. 1606
81-4-3	Revoked	V. 20, p. 1607
81-5-7	Amended	V. 20, p. 1607
81-14-1 through 81-14-8	New	V. 20, p. 1607-1617

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-1-250	New	V. 20, p. 1094
82-3-105	Amended (T)	V. 21, p. 1175
82-3-111	Amended	V. 21, p. 43
82-3-113	Amended (T)	V. 21, p. 1175
82-3-114	Amended (T)	V. 21, p. 1176
82-3-117	Amended (T)	V. 21, p. 1176
82-3-120	Amended	V. 21, p. 44
82-3-120	Amended (T)	V. 21, p. 1176
82-3-120a	Revoked	V. 21, p. 45
82-3-123	Amended	V. 21, p. 45
82-3-133	Amended	V. 20, p. 771
82-3-133a	New	V. 20, p. 771
82-3-201	Amended	V. 20, p. 771
82-3-206	Amended	V. 20, p. 771
82-3-300	Amended	V. 20, p. 772
82-3-304	Amended	V. 21, p. 45
82-3-306	Amended	V. 20, p. 772
82-3-307	Amended	V. 20, p. 773
82-3-310	Amended	V. 20, p. 773
82-3-311	Amended (T)	V. 21, p. 1178
82-3-312	Amended	V. 21, p. 117
82-3-400	Amended	V. 21, p. 383
82-3-401	Amended	V. 21, p. 383
82-3-401a	Revoked	V. 21, p. 384
82-3-401b	Revoked	V. 21, p. 384
82-3-402 through 82-3-410	Amended	V. 21, p. 384-389
82-3-411	New	V. 21, p. 389
82-3-412	New	V. 21, p. 390
82-3-1000 through 82-3-1012	New (T)	V. 21, p. 1178-1188
82-4-3	Amended (T)	V. 20, p. 1723
82-4-3	Amended	V. 20, p. 1868
82-4-22	Amended (T)	V. 21, p. 1329
82-4-26a	New (T)	V. 20, p. 1723
82-4-26a	New	V. 20, p. 1869

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-10	Amended	V. 20, p. 1825

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-16-1a	Revoked (T)	V. 21, p. 501
88-16-1a	Revoked	V. 21, p. 1166
88-16-1b	New (T)	V. 21, p. 501
88-16-1b	New	V. 21, p. 1166

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-70a	Amended	V. 20, p. 1894
91-1-146a through 91-1-146e	Revoked	V. 21, p. 178
91-1-206	Amended	V. 21, p. 178
91-1-215 through 91-1-219	New	V. 21, p. 178-180
91-5-14	Amended	V. 20, p. 108
91-37-2	Amended	V. 20, p. 724
91-37-3	Amended	V. 20, p. 724
91-37-4	Amended	V. 20, p. 724
91-40-2	Amended	V. 20, p. 541
91-40-7	Amended	V. 20, p. 541
91-40-9	Amended	V. 20, p. 542
91-40-10	Amended	V. 20, p. 542
91-40-17	Amended	V. 20, p. 543
91-40-18	Amended	V. 20, p. 544
91-40-27	Amended	V. 20, p. 544
91-40-33	Amended	V. 20, p. 544
91-40-36	Amended	V. 20, p. 545
91-40-37	Amended	V. 20, p. 545
91-40-38	Amended	V. 20, p. 545
91-40-52	Amended	V. 20, p. 545
91-40-53	Amended	V. 20, p. 546
91-41-1 through 91-41-4	New	V. 20, p. 546, 547

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-1-1	Revoked	V. 21, p. 332
92-1-2	Revoked	V. 21, p. 332

92-1-3	Revoked	V. 21, p. 332
92-5-4	Revoked	V. 21, p. 312
92-5-5		
through		
92-5-10	Amended	V. 21, p. 312, 313
92-5-11	Revoked	V. 21, p. 313
92-5-12	Amended	V. 21, p. 313
92-5-13	Amended	V. 21, p. 313
92-8-20	Revoked	V. 21, p. 332
92-9-1	Amended	V. 21, p. 332
92-9-3	Amended	V. 21, p. 332
92-9-4	Amended	V. 21, p. 332
92-9-5	Amended	V. 21, p. 332
92-9-7	Revoked	V. 21, p. 332
92-9-8	Revoked	V. 21, p. 1124
92-11-1		
through		
92-11-16	Revoked	V. 21, p. 332, 333
92-12-4	Amended	V. 21, p. 586
92-12-11	Amended	V. 21, p. 586
92-12-29	Revoked	V. 21, p. 586
92-12-47	Amended	V. 21, p. 586
92-12-56	Revoked	V. 21, p. 587
92-12-58	Amended	V. 21, p. 587
92-12-66	Revoked	V. 20, p. 1124
92-12-66a	New	V. 20, p. 1124
92-12-67	Amended	V. 21, p. 587
92-12-68	Revoked	V. 21, p. 587
92-12-105	Amended	V. 21, p. 587
92-12-106	Amended	V. 21, p. 587
92-12a-1		
through		
92-12a-23	Revoked	V. 21, p. 333, 334
92-14-4		
through		
92-14-9	Amended	V. 21, p. 334, 335
92-15-3	Amended	V. 21, p. 335
92-15-4	Amended	V. 21, p. 335
92-15-6	Amended	V. 20, p. 1126
92-15-8	Amended	V. 21, p. 335
92-17-1		
through		
92-17-6	Amended	V. 21, p. 313, 314
92-18-1		
through		
92-18-7	Revoked	V. 21, p. 1307
92-19-2	Revoked	V. 21, p. 1311
92-19-2a	New	V. 21, p. 1311
92-19-4a	Revoked	V. 20, p. 1126
92-19-4b	New	V. 20, p. 1126
92-19-6	Revoked	V. 21, p. 1312
92-19-6a	New	V. 21, p. 1312
92-19-16a	New	V. 20, p. 1128
92-19-24	Amended	V. 20, p. 1129
92-19-33	Amended	V. 20, p. 1129
92-19-35a	New	V. 21, p. 1312
92-19-55	Revoked	V. 21, p. 1313
92-19-55a	New	V. 21, p. 1313
92-19-61	Revoked	V. 21, p. 1315
92-19-61a	New	V. 21, p. 1315
92-19-64	Revoked	V. 20, p. 1129
92-19-64a	New	V. 20, p. 1129
92-19-73	Amended	V. 20, p. 1130
92-19-75	Revoked	V. 20, p. 1130
92-19-82	New	V. 21, p. 1316
92-20-11	Revoked	V. 21, p. 1318
92-22-4	Amended	V. 21, p. 450
92-22-19	Revoked	V. 21, p. 450
92-22-22	Revoked	V. 21, p. 450
92-22-23	Amended	V. 21, p. 450
92-22-24	Revoked	V. 21, p. 450
92-22-25	Amended	V. 21, p. 450
92-22-33	New	V. 21, p. 450
92-22-34	New	V. 21, p. 450
92-23-10	Amended	V. 21, p. 180
92-23-15	Amended	V. 21, p. 180
92-23-16	Amended	V. 21, p. 180
92-23-17		
through		
92-23-23	New	V. 21, p. 181
92-23-25	New	V. 21, p. 181
92-23-30	New	V. 21, p. 181
92-23-31	New	V. 21, p. 182
92-23-38	Amended	V. 21, p. 182
92-23-38a	Amended	V. 21, p. 182
92-23-40	Amended	V. 21, p. 182
92-24-9		
through		
92-24-15	Amended	V. 21, p. 314, 315

92-24-18	Amended	V. 21, p. 315
92-24-22	Amended	V. 21, p. 316
92-24-23	Amended	V. 20, p. 1895
92-24-24	Amended	V. 21, p. 316
92-25-1	Amended	V. 20, p. 1130
92-51-33	Revoked	V. 20, p. 1130
92-51-40	Revoked (T)	V. 20, p. 1580
92-51-40	Revoked	V. 20, p. 1895
92-51-50	Revoked	V. 20, p. 1130
92-51-51	Revoked	V. 20, p. 1130
92-51-52	Revoked	V. 20, p. 1130
92-51-54	Revoked	V. 20, p. 1130
92-51-55	Revoked	V. 20, p. 1131
92-52-9	Amended	V. 20, p. 1603
92-52-9a	Amended	V. 20, p. 1604
92-53-1		
through		
92-53-7	Revoked	V. 20, p. 1131
92-54-1		
through		
92-54-5	Revoked	V. 20, p. 1131
92-56-1		
through		
92-56-5	Amended	V. 21, p. 1057-1059

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

Reg. No.	Action	Register
93-1-1		
through		
93-1-4	Revoked	V. 20, p. 452
93-4-6	Amended	V. 20, p. 452
93-6-1		
through		
93-6-4	Amended	V. 20, p. 452, 453

AGENCY 94: BOARD OF TAX APPEALS

Reg. No.	Action	Register
94-2-1		
through		
94-2-18	Amended	V. 21, p. 703-708
94-2-19	New	V. 21, p. 708
94-2-20	New	V. 21, p. 708
94-3-1	Amended	V. 21, p. 709
94-3-2	Amended	V. 21, p. 709
94-4-1	New	V. 21, p. 710
94-4-2	New	V. 21, p. 710

AGENCY 99: DEPARTMENT OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

Reg. No.	Action	Register
99-8-8	Revoked	V. 21, p. 12
99-8-9	Revoked	V. 21, p. 12
99-9-1	Revoked	V. 21, p. 12
99-10-1	Revoked	V. 21, p. 12
99-25-1	Amended	V. 21, p. 12
99-25-3	Amended	V. 21, p. 13
99-25-4	Amended	V. 21, p. 13
99-25-6	Amended	V. 21, p. 13
99-25-7	Amended	V. 21, p. 13
99-25-9	Amended	V. 21, p. 14
99-26-1	Amended	V. 21, p. 14
99-27-2		
through		
99-27-5	Amended	V. 21, p. 14, 15
99-30-2		
through		
99-30-6	Amended	V. 21, p. 15, 16
99-31-2		
through		
99-31-6	Amended	V. 21, p. 16
99-40-1	Revoked	V. 21, p. 16
99-40-3	Amended	V. 21, p. 17
99-40-21		
through		
99-40-47	Revoked	V. 21, p. 17
99-40-100	Revoked	V. 21, p. 17
99-40-101	Revoked	V. 21, p. 18
99-40-104	Revoked	V. 21, p. 18
99-40-105	Revoked	V. 21, p. 18

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended (T)	V. 21, p. 1131
100-15-1	Amended	V. 20, p. 1093
100-27-1	Amended	V. 21, p. 307
100-28a-1		
through		
100-28a-16	New	V. 20, p. 774-778

100-49-4	Amended (T)	V. 21, p. 1131
100-60-1	Revoked	V. 20, p. 778
100-60-2	Revoked	V. 20, p. 778
100-60-4	Revoked (T)	V. 20, p. 251
100-60-4	Revoked	V. 20, p. 778
100-60-5	Revoked	V. 20, p. 778
100-60-6	Revoked	V. 20, p. 779
100-60-8		
through		
100-60-15	Revoked	V. 20, p. 779

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-1	Amended	V. 20, p. 1897
102-1-10	Revoked	V. 20, p. 1898
102-1-10a	New	V. 20, p. 1898
102-1-19	New	V. 20, p. 572
102-1-20	New	V. 20, p. 1900
102-2-3	Amended	V. 21, p. 237
102-2-4b	Amended	V. 21, p. 238
102-2-15	New	V. 20, p. 572
102-3-3a	Amended	V. 21, p. 1132
102-3-4a	Amended	V. 21, p. 1133
102-3-6a	Revoked	V. 21, p. 1134
102-3-12a	Amended	V. 21, p. 1134
102-3-16	New	V. 20, p. 572
102-3-17	New	V. 21, p. 1137
102-4-16	New	V. 20, p. 572
102-5-15	New	V. 20, p. 572

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-2	Amended	V. 21, p. 1055
108-1-4	New	V. 21, p. 1366

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-9-1	Amended	V. 20, p. 1675
109-9-4	Amended	V. 20, p. 1677
109-5-1	Amended	V. 21, p. 1368
109-6-3	Amended	V. 21, p. 1369
109-10-1	Amended	V. 20, p. 1677
109-11-10	New	V. 20, p. 1679

AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING

Reg. No.	Action	Register
110-4-1	Amended	V. 20, p. 1392
110-6-1	Amended	V. 20, p. 177
110-6-1a	Amended	V. 20, p. 178
110-6-2	Amended	V. 20, p. 178
110-6-3	Amended	V. 20, p. 178
110-6-4	Amended	V. 20, p. 179
110-6-5	Amended	V. 20, p. 180
110-7-1		
through		
110-7-4	Revoked	V. 20, p. 1426
110-7-5	New	V. 20, p. 1426
110-7-6	New	V. 20, p. 1426
110-7-8	New	V. 20, p. 1426
110-7-9	New	V. 20, p. 1426
110-7-10	New	V. 20, p. 1426

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. The regulations listed below were published after December 31, 2000.

Reg. No.	Action	Register
111-2-4	Amended	V. 20, p. 1094
111-2-119		
through		
111-2-124	New	V. 20, p. 416-419
111-2-120	Amended	V. 20, p. 1094
111-2-124	Amended	V. 21, p. 590
111-2-125	New	V. 20, p. 573
111-2-126	New	V. 20, p. 573
111-2-127	Amended	V. 20, p. 937
111-2-128	New	V. 20, p. 1188
111-2-129	New	V. 20, p. 1343
111-2-130	New	V. 20, p. 1394
111-2-131	New	V. 20, p. 1778
111-2-132	New	V. 20, p. 1901
111-2-133	New	V. 20, p. 1901

(continued)

111-2-134	New	V. 20, p. 1901
111-2-135	New	V. 21, p. 590
111-2-136	New	V. 21, p. 590
111-2-137	New	V. 21, p. 649
111-2-138	New	V. 21, p. 692
111-2-139	New	V. 21, p. 747
111-3-12	Amended	V. 20, p. 40
111-3-35	Amended	V. 20, p. 1189
111-4-1795		
through		
111-4-1813	New	V. 20, p. 40-47
111-4-1801	Amended	V. 20, p. 1095
111-4-1803	Amended	V. 20, p. 1095
111-4-1805a	New	V. 20, p. 1095
111-4-1814		
through		
111-4-1823	New	V. 20, p. 419-427
111-4-1818	Amended	V. 20, p. 575
111-4-1824	New	V. 20, p. 575
111-4-1825		
through		
111-4-1839	New	V. 20, p. 937-942
111-4-1828	Amended	V. 20, p. 1096
111-4-1832	Amended	V. 20, p. 1344
111-4-1840		
through		
111-4-1844	New	V. 20, p. 1096-1100
111-4-1845		
through		
111-4-1850	New	V. 20, p. 1189-1193
111-4-1849	Amended	V. 20, p. 1344
111-4-1851	New	V. 20, p. 1345
111-4-1852	New	V. 20, p. 1346
111-4-1853	New	V. 20, p. 1347
111-4-1854		
through		
111-4-1870	New	V. 20, p. 1395-1405
111-4-1864	Amended	V. 20, p. 1569
111-4-1866	Amended	V. 20, p. 1570
111-4-1867	Amended	V. 20, p. 1601
111-4-1869	Amended	V. 20, p. 1601
111-4-1871	New	V. 20, p. 1571
111-4-1872	New	V. 20, p. 1572
111-4-1873	New	V. 20, p. 1572
111-4-1874		
through		
111-4-1877	New	V. 20, p. 1779-1781
111-4-1877	Amended	V. 20, p. 1902
111-4-1878		
through		
111-4-1885	New	V. 20, p. 1902-1906
111-4-1886		
through		
111-4-1889	New	V. 21, p. 183-185
111-4-1890		
through		
111-4-1893	New	V. 21, p. 591-593
111-4-1894		
through		
111-4-1900	New	V. 21, p. 649-655
111-4-1894	Amended	V. 21, p. 1276
111-4-1901		
through		
111-4-1921	New	V. 21, p. 692-702
111-4-1910	Amended	V. 21, p. 747
111-4-1911	Amended	V. 21, p. 747
111-4-1913	Amended	V. 21, p. 748
111-4-1922	New	V. 21, p. 748
111-4-1923	New	V. 21, p. 749

111-4-1924		
through		
111-4-1932	New	V. 21, p. 1329-1337
111-5-23	Amended	V. 20, p. 428
111-5-24	Amended	V. 20, p. 428
111-5-27	Amended	V. 20, p. 429
111-5-78	Amended	V. 21, p. 751
111-5-79		
through		
111-5-91	New	V. 21, p. 1278-1281
111-5-92		
through		
111-5-98	New	V. 21, p. 1339-1341
111-7-119		
through		
111-7-127	Amended	V. 21, p. 594-597
111-7-134	Amended	V. 20, p. 429
111-7-152	Amended	V. 20, p. 49
111-7-158		
through		
111-7-162	New	V. 20, p. 577
111-7-159	Amended	V. 20, p. 1101
111-7-162	Amended	V. 20, p. 944
111-7-163		
through		
111-7-170	New	V. 20, p. 1101-1103
111-7-165	Amended	V. 20, p. 1194
111-7-171		
through		
111-7-175	New	V. 20, p. 1782, 1783
111-7-176		
through		
111-7-180	New	V. 21, p. 656, 657
111-8-101		
through		
111-8-126	New	V. 20, p. 1573-1579
111-9-111	New	V. 20, p. 1406
111-9-112	Amended	V. 20, p. 1579
111-9-113	Amended	V. 21, p. 186
111-9-114	New	V. 21, p. 657
111-9-115	New	V. 21, p. 702
111-9-116	New	V. 21, p. 703

**AGENCY 112: KANSAS RACING AND
GAMING COMMISSION**

Reg. No.	Action	Register
112-4-1	Amended	V. 20, p. 765
112-7-19	Amended	V. 20, p. 547
112-10-3	Amended	V. 20, p. 1728
112-10-6	Amended	V. 20, p. 1728
112-11-20	Amended	V. 20, p. 945
112-17-4	Amended	V. 20, p. 1729
112-18-11	Amended	V. 20, p. 1922

**AGENCY 115: DEPARTMENT OF
WILDLIFE AND PARKS**

Reg. No.	Action	Register
115-2-1	Amended	V. 20, p. 1499
115-2-4	Amended	V. 20, p. 1499
115-2-6	Amended	V. 21, p. 451
115-3-1	Amended	V. 20, p. 766
115-3-2	Amended	V. 20, p. 767
115-4-1	Revoked	V. 20, p. 767
115-4-2	New	V. 20, p. 767
115-4-3	Revoked	V. 20, p. 768
115-4-4	Amended	V. 21, p. 452
115-4-5	Revoked	V. 20, p. 769
115-4-7		
through		
115-4-10	Revoked	V. 20, p. 769

115-4-11	Amended	V. 20, p. 769
115-4-12	Revoked	V. 20, p. 770
115-4-13	Amended	V. 20, p. 770
115-5-1	Amended	V. 21, p. 1137
115-5-2	Amended	V. 21, p. 1138
115-5-3	Amended	V. 21, p. 1138
115-8-1	Amended	V. 20, p. 1061
115-8-4	Amended	V. 20, p. 1500
115-8-5	Revoked	V. 20, p. 1061
115-8-8	Amended	V. 20, p. 1061
115-8-12	Amended	V. 20, p. 1062
115-8-16	Revoked	V. 20, p. 1062
115-8-18	Revoked	V. 20, p. 1062
115-8-20	Amended	V. 20, p. 1062
115-8-21	Amended	V. 20, p. 1062
115-9-4	Amended	V. 21, p. 177
115-11-1	Amended	V. 21, p. 177
115-11-2	Amended	V. 21, p. 177
115-13-1	Amended	V. 20, p. 1500
115-13-2	Amended	V. 20, p. 1500
115-13-5	Amended	V. 20, p. 1501
115-14-2	Amended	V. 20, p. 1501
115-14-3	Amended	V. 20, p. 1502
115-14-5	Amended	V. 20, p. 1502
115-14-6	Amended	V. 20, p. 1502
115-14-7	Revoked	V. 20, p. 1502
115-14-9	Amended	V. 20, p. 1502
115-14-10	Amended	V. 20, p. 1503
115-16-5	New	V. 21, p. 1138
115-16-6	New	V. 21, p. 1139
115-18-5	Revoked	V. 20, p. 1504
115-18-7	Amended	V. 21, p. 453
115-18-8	Amended	V. 20, p. 1504
115-18-9	Amended	V. 20, p. 1504
115-18-14	Amended	V. 20, p. 1504
115-18-17	New	V. 20, p. 1062
115-20-1	Amended	V. 20, p. 1063
115-20-2	Amended	V. 20, p. 1063
115-21-1	Amended	V. 20, p. 1803
115-21-2	Amended	V. 20, p. 1804
115-21-3	Revoked	V. 20, p. 1804
115-21-4	New	V. 20, p. 1804
115-22-1	New	V. 20, p. 1804

**AGENCY 117: REAL ESTATE
APPRAISAL BOARD**

Reg. No.	Action	Register
117-6-1	Amended	V. 21, p. 658
117-6-3	Amended	V. 20, p. 862
117-6-4	New	V. 20, p. 863
117-7-1	Amended	V. 20, p. 863
117-8-1	Amended	V. 21, p. 659

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-5-1		
through		
118-5-10	New (T)	V. 20, p. 1492-1495
118-5-1		
through		
118-5-10	New	V. 21, p. 1205-1208

**AGENCY 125: AGRICULTURAL
REMEDIATION BOARD**

Reg. No.	Action	Register
125-1-1		
through		
125-1-9	New (T)	V. 20, p. 1496-1498
125-1-1		
through		
125-1-9	New	V. 20, p. 1891-1893